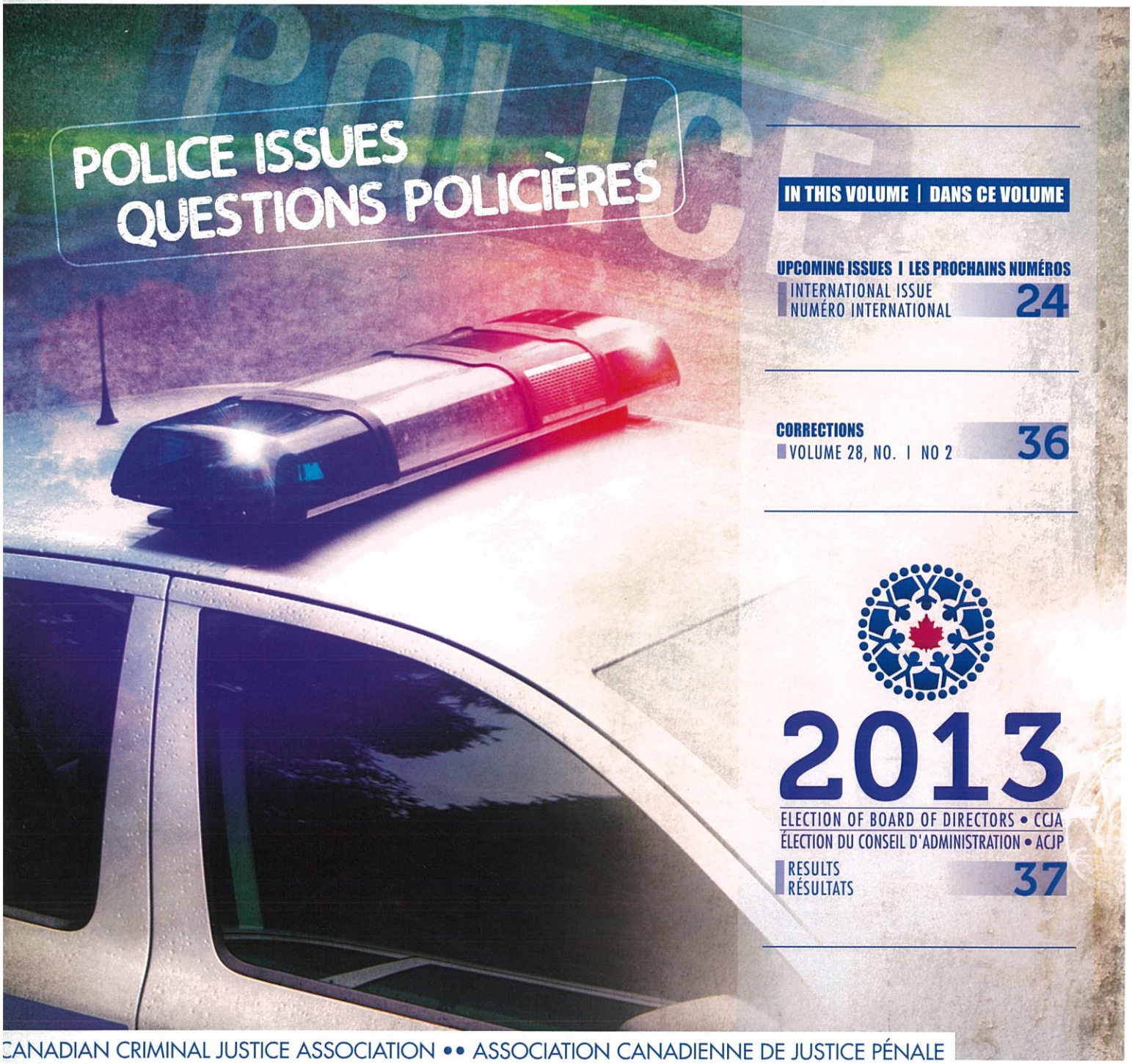
JUSTICE
ACTUALITÉS REPORT

Volume 28 No. / N° 3
SUMMER •• ÉTÉ 2013



IN THIS VOLUME | DANS CE VOLUME

UPCOMING ISSUES | LES PROCHAINS NUMÉROS
INTERNATIONAL ISSUE
NUMÉRO INTERNATIONAL 24

CORRECTIONS
VOLUME 28, NO. 1 NO 2 36

2013
ELECTION OF BOARD OF DIRECTORS • CCJA
ÉLECTION DU CONSEIL D'ADMINISTRATION • ACJP
RESULTS
RÉSULTATS 37

CANADIAN CRIMINAL JUSTICE ASSOCIATION •• ASSOCIATION CANADIENNE DE JUSTICE PÉNALE

JUSTICE ACTUALITÉS REPORT

Volume 28 No. / N° 3

The **JUSTICE REPORT** contains information of value to Association readers and the public interested in matters related to the administration of justice in Canada. Opinions expressed in this publication do not necessarily reflect the Association's views, but are included to encourage reflection and action on the criminal justice system throughout Canada. For more information on the activities of the CCJA, please contact: •• L'**ACTUALITÉS-JUSTICE** renferme des renseignements utiles aux lecteurs de l'Association et au public qui s'intéressent aux questions relatives à l'administration de la justice au Canada. Les opinions qui sont exprimées ne reflètent pas nécessairement les vues de l'Association, mais y figurent afin d'encourager à réfléchir et à agir sur la justice pénale dans tout le Canada. Pour obtenir de plus amples renseignements sur les activités de l'Association, veuillez communiquer avec :

CANADIAN CRIMINAL JUSTICE ASSOCIATION
ASSOCIATION CANADIENNE DE JUSTICE PÉNALE

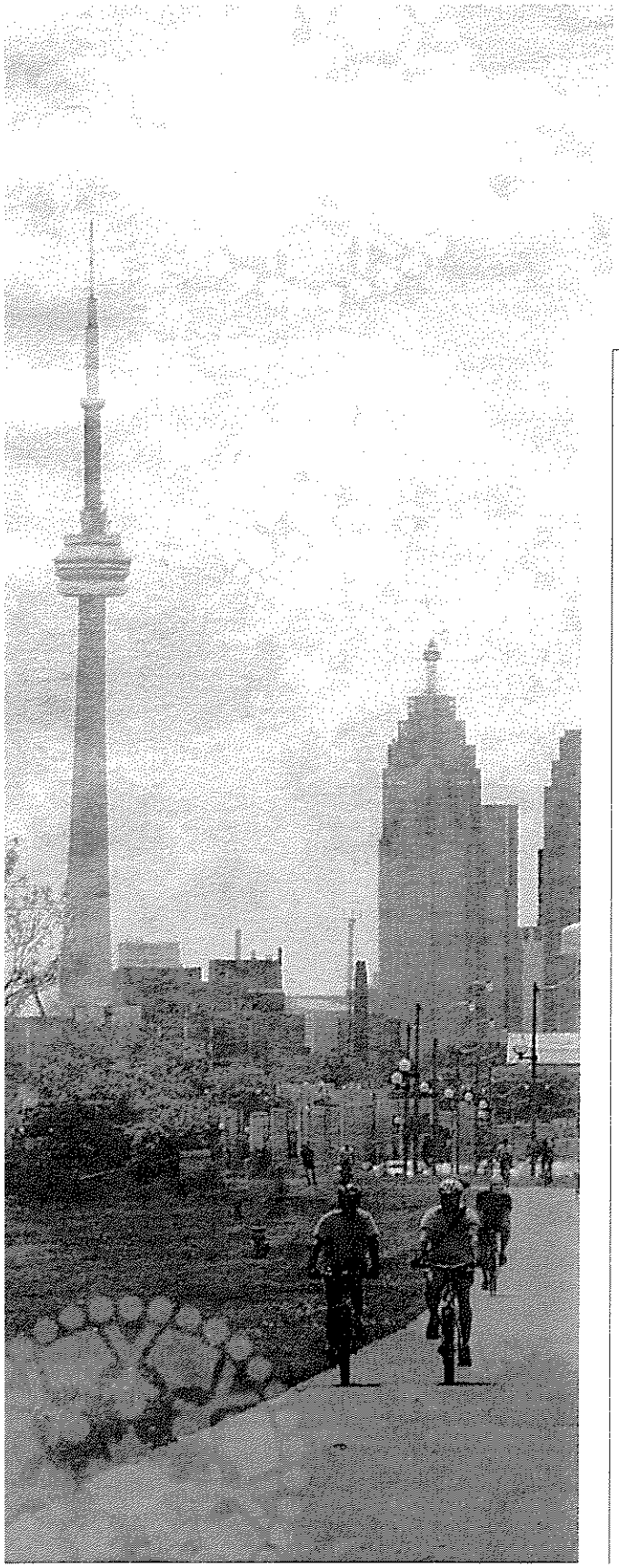
101-320, av. Parkdale Ave., Ottawa,
Ontario, Canada K1Y 4X9

613 725.3715 613 725.3720
ccja-acjp@rogers.com •• www.ccja-acjp.ca

ISSN: 0823-9436

Nancy Wright Editor •• Rédactrice

© 2013 CCJA-ACJP. All Rights Reserved. Tous droits réservés.



4 **EDITORIAL**
By Irving Kulik

5 **ÉDITORIAL**
Par Irving Kulik

6 **2013 CONGRESS** - REGISTRATION FORM
CONGRÈS 2013 - FORMULAIRE D'INSCRIPTION

9 **COMBATING HUMAN TRAFFICKING IN ALBERTA:**
LAW ENFORCEMENT AND CROSS SECTOR COLLABORATION
By Julie Kaye and John Winterdyk - Résumé français à la page 11

12 **LA POLICE DE MONTRÉAL ET D'AILLEURS - DÉFIS 2013-2015**
Par André Normandeau - English abstract on Page 14

15 **POLICE BOARDS & THE PURSUIT OF POLICE INDEPENDENCE**
By Darren R. Caul - Résumé français à la page 18

19 CANADIAN'S REFLECTION ON JUSTICE REFORM IN NAMIBIA:
A SOUTHERN CELESTIAL STAR?
Prelude to International Issue, by John Winterdyk - Résumé français à la page 22

23 **SAWBONNA, VICTIM VOICE(LESS), & THE THREE "R's"**
By Margot Van Sluytman- Résumé français à la page 23

24 **DID YOU KNOW? LE SAVIEZ-VOUS?**
By/Par André Normandeau

24 **CALL FOR ARTICLES** - INTERNATIONAL ISSUE
ARTICLES DEMANDÉS - NUMÉRO INTERNATIONAL

THE STUDENT SPACE L'ESPACE ÉTUDIANT

25 **COMMUNITY POLICING AND RESTORATIVE JUSTICE:**
EXPLORING COMMON THEMES AND VALUES
By Muhammad Asadullah - Résumé français à la page 28

30 **POLICE GOVERNANCE IN NAMIBIA:**
OPPORTUNITIES AND CHALLENGES
Prelude to International Issue, by Tuhafeni Helao - Résumé français à la page 32

33 **UNE VISION RÉDUCTRICE ET UNE PERCEPTION NÉGATIVE DU TRAVAIL DES POLICIERS ONT-ELLES CONTRIBUÉ À L'ACCROISSEMENT DE LA SURVEILLANCE DITE PRIVÉE?**
Par Joanie Laganière - English abstract on Page 35

37 **ELECTION - BOARD OF DIRECTORS - REPORT**
ÉLECTION - CONSEIL D'AMINISTRATION - RAPPORT

39 **COMING EVENTS | PROCHAINS ÉVÉNEMENTS**

BY IRVING KULIK, Executive Director of the CCJA

This issue of the *Justice Report* highlights policing issues. As you glance over the table of contents, however, you will also notice the international flavour of some of the articles. These are intended as an introduction to the Winter 2014 issue, which will cover the international arena in greater depth.

The development of criminal justice policies should always be based, at least to some degree, on what we can learn from elsewhere. Once philosophies and policies become translated into criminal justice legislation it is always difficult, almost impossible, to institute change. A simple but cogent example is American policies related to the "War on Drugs" which became enshrined in law beginning more than forty years ago. Indeed, still today, not only does the United States have to live with the consequences of this "war", but so do Canada and Latin America. The universal responsibility of all governments is to protect the safety of their citizens. The Canadian Criminal Justice Association has always promoted evidence-based research and practice. Why repeat the errors of others when you can learn from their mistakes as well as successes, thereby providing for safer communities and the most effective use of public resources?

This issue is also our pre-Congress edition and provides a reminder that with less than a month to go until the opening ceremonies, members should take advantage of a tremendous opportunity to register for what is sure to be a memorable event. This conference will feature the largest line-up of international presenters and offer delegates an opportunity to converse with them and learn from the criminal justice experiences of Australia, China, Hong Kong, Singapore, Trinidad & Tobago and of course the United States. It should well be worth a trip to beautiful Vancouver. I look forward to meeting many of you in October.

In this issue you will also find the results of our recent CCJA Board elections. I would like to congratulate the winners and thank all those who put their names forward as candidates. We live in a country that is based on democratic freedoms. Unfortunately one of the greatest freedoms, the one too many take for granted and overlook, is the opportunity to elect our own leaders. Thanks to all of you who took the time to vote.

ÉDITORIAL

PAR IRVING KULIK, Directeur général, ACJP

Ce numéro d'*Actualités-Justice* braque les projecteurs sur les enjeux policiers. En parcourant la table des matières, vous constaterez que certains articles ont une saveur internationale. Ceux-ci se veulent une introduction au numéro de l'hiver 2014, qui se penchera plus à fond sur la scène internationale.

L'élaboration de politiques de justice pénale devrait toujours s'inspirer, dans une certaine mesure du moins, des leçons qui se dégagent de ce qui se fait ailleurs. Il devient très difficile, voire presque impossible, d'introduire des changements une fois que certaines philosophies et politiques ont été traduites en lois de justice pénale. Les politiques américaines en matière de lutte aux drogues ont été enchâssées dans les lois, il y a quelque quarante ans, et constituent un exemple simple, mais convaincant de cela. En effet, même aujourd'hui, non seulement les États-Unis ont-ils à composer avec les conséquences de cette lutte, mais il en va de même pour le Canada et l'Amérique latine. Tous les gouvernements ont une responsabilité universelle : assurer la protection de leurs citoyens. L'Association canadienne de justice pénale a toujours fait la promotion de la recherche et de la pratique fondées sur des données probantes. Pourquoi répéter les erreurs des autres quand nous pouvons en tirer des leçons? Ce même raisonnement vaut pour leurs réussites, ce qui permet d'assurer des collectivités plus sûres et l'utilisation la plus efficace des ressources de l'État.

Ce numéro est aussi celui qui précède notre Congrès et, à moins d'un mois des cérémonies d'ouverture, il vise à rappeler aux membres de profiter de l'occasion pour s'inscrire à un événement qui promet d'être mémorable. Ce Congrès mettra en vedette une très large brochette de conférenciers internationaux et permettra aux congressistes de discuter avec eux et d'apprendre de l'expérience de justice pénale de pays, tels que l'Australie, la Chine, Hong Kong, Singapour, Trinité-et-Tobago et, bien sûr, les États-Unis. Cela devrait valoir un voyage vers la magnifique ville de Vancouver. Je me réjouis à l'idée de rencontrer bon nombre d'entre vous en octobre.

Nous vous présentons aussi dans ce numéro les résultats de la récente élection au conseil d'administration de l'ACJP. J'aimerais féliciter les élus et remercier tous ceux et celles qui ont accepté de se porter candidats. Nous vivons dans un pays fondé sur des libertés démocratiques. Malheureusement, l'une des plus grandes libertés, celle que trop de gens tiennent pour acquise et négligent, c'est l'occasion d'élire nos dirigeants. Merci à tous celles et ceux qui ont pris le temps de voter.

34th Canadian Congress on Criminal Justice
2013
Congrès canadien de justice pénale
34e

Registration Form
Formulaire d'inscription

Please return the completed form to - Prière de retourner à l'adresse suivante:

Canadian Criminal Justice Association
Association canadienne de justice pénale
101 – 320 av. Parkdale Ave., Ottawa, Ontario, Canada, K1Y 4X9
Tel | Tél. : 613-725-3715 Fax | Téléc. : 613-725-3720
Email | Courriel : ccja-acjp@rogers.com

Contact Details of Registrant | Coordonnées du participant

Surname - Nom | Name - Prénom | Preferred Name on Badge - Nom préféré sur insigne

Title - Fonction

Employer - Employeur

Address - Adresse

City - Ville | Province | Postal Code - Code postal

Tel. - Tél. | Email - Courriel

Registration Fees | Frais de participation

Members of the Canadian Criminal Justice Association / Membres de l'Association canadienne de justice pénale	☐ $525
Non-members - Non-membres	☐ $585
Full-time students or retired persons - Étudiants temps plein ou retraités	☐ $200
Daily rate - Tarif à la journée (Indicate the day - précisez le jour :)	☐ $250
Special Agency Rate (3 one-day passes) - Tarif spécial pour organismes (3 billets d'admission pour une journée)	☐ $625
Special Student Group Rate (3 one-day passes) - Tarif spécial pour étudiants (3 billets d'admission pour une journée)	☐ $200

Banquet Gala - $65 Taxes Included | Souper Banquet - 65$ taxes incluses

ticket(s) at $ = $ billet(s) à $ = $

If you are buying more than one ticket, please identify the other participants - Si vous achetez plus d'un billet, SVP fournir le nom des autres participants :

Payment by - Mode de paiement

TOTAL

■ Cheque payable to the Canadian Criminal Justice Association
Chèque à l'ordre de l'Association canadienne de justice pénale

■ ☐ Visa ☐ MasterCard ☐ American Express

Number - Numéro

Expiration (Month/Year) - Date d'expiration (Mois/Année)

Name on Card - Nom apparaissant sur la carte

Signature

Refund and Cancellation Policy: The registration may not be cancelled or reimbursed but may be transferred to another person if written notice is received from the original registrant. Politiques de remboursement et d'annulation : Les inscriptions ne peuvent ni être annulées ni remboursées mais il est toutefois possible de transférer cette inscription à une autre personne, il suffit d'en donner avis par écrit.

PRE-CONGRESS TOURS | VISITES GUIDÉES ANTÉRIEURES AU CONGRÈS

The events listed below will take place on Wednesday, October 2, 2013, between the hours of 9:30 a.m. and 4:00 p.m. (actual times still to be determined). Attendance will be limited for some of the events and pre-registration will be required.

Les activités ci-dessous auront lieu le mercredi 2 octobre 2013, entre 9 h 30 et 16 h 00 (heures exactes à être déterminées). Le nombre de participants sera limité pour certaines de ces activités et l'inscription préalable est requise.

- ☐ 1. Vancouver Downtown Eastside Walking Tour | Visite à pied guidée du secteur Downtown Eastside de Vancouver
- ☐ 2. Nanaimo Correctional Centre Therapeutic Community Tour - *Limit - 25 attendees*
  Visite de la Communauté thérapeutique du Nanaimo Correctional Centre - *Maximum - 25 participants*
- ☐ 3. Correctional Service of Canada Institution Tour - Fraser Valley Institution and Pacific Institution - *Limit - 50 attendees*
  Visite de l'Établissement Fraser Valley et de l'Établisement Pacifique du Service correctionnel du Canada
  - Maximum 50 participants
- ☐ 4. Salvation Army Belkin House Tour | Visite de la Belkin House de l'Armée du Salut

WORKSHOPS | ATELIERS

THURSDAY, OCTOBER 3, 2013 | LE JEUDI 3 OCTOBRE 2013

BLOCK | BLOC 'A': 10:30 AM - 12:00 PM

- ☐ 1: CIVIL UNREST
- ☐ 2: RESPONDING TO OFFENDER HOUSING NEEDS
- ☐ 3: CRIME PREVENTION AND ECONOMICS
- ☐ 4: WHO GAINS, WHO LOSES, WHO IS AFFECTED BY PRISON BUILDING?
  LA CONSTRUCTION DE PRISONS : QUI EN PROFITE, QUI PERD, QUI EST TOUCHÉ?
  (Simultaneous interpretation | Interprétation simultanée)
- ☐ 5: WORKING WITH ABORIGINAL COMMUNITIES
- ☐ 6: TRACKING THE PROGRESS TO ENGAGE THE VIDEO GAME GENERATION:
  RESPONDING TO DIVERSE NEEDS IN YOUTH JUSTICE
- ☐ 7: CRIMINAL JUSTICE POLICIES AND THEIR IMPACT UPON INDIGENOUS POPULATIONS
- ☐ 8: FROM THE MONOLITH TO THE KALEIDOSCOPE: NEW APPROACHES TO REGULATION
  AND CONTROL OF PSYCHOACTIVE SUBSTANCES AROUND THE WORLD
- ☐ 9: SEEKING SAFER COMMUNITIES AT LESS COST

BLOCK | BLOC 'B': 1:30 PM - 2:30 PM

- ☐ 10: THE IN-DEPTH PROFILES OF MENTALLY DISORDERED AND VIOLENT/GANG- INVOLVED YOUNG
- ☐ 11: REDUCING HARM THROUGH HARSHER SENTENCES OR SAFER NEEDLES?
- ☐ 12: ELDERLY INMATES AND PAROLEES: A CORRECTIONAL REALITY SATURATED WITH AGEISM
  LES DÉTENUS ET LES LIBÉRÉS CONDITIONNELS ÂGÉS: UNE RÉALITÉ CORRECTIONNELLE MARQUÉE PAR L'ÂGISME
  (Simultaneous interpretation | Interprétation simultanée)
- ☐ 13: DIFFERING INTERNATIONAL VIEWS ON SEXUAL MORES
- ☐ 14: BUILDING BETTER PRISONS: THE ROLE OF PRIVATE ENTERPRISE
- ☐ 15: DISMANTLING THE SILOS – THE EFFICIENCIES OF INTER-AGENCY COOPERATION
- ☐ 16. BUILDING COLLABORATIVE APPROACHES FOR SMART JUSTICE

BLOCK | BLOC 'C': 3:00 PM - 4:30 PM

- ☐ 17: MAKING COMMUNITY SUPERVISION WORK: THE STRATEGIC TRAINING INITIATIVE
  IN COMMUNITY SUPERVISION (STICS)
- ☐ 18: TOWARDS A MORE EFFECTIVE CANADIAN STREET GANG POLICY: RESULTS OF
  THE 2012 CANADIAN STREET GANG SURVEY AND CANADA'S MOST COMPREHENSIVE
  STUDY OF GANG MEMBERS, AND THEIR IMPLICATIONS FOR CANADIAN PUBLIC POLICY

❑ 19: MENTAL HEALTH COMMISSION OF CANADA - CHANGING HOW WE SEE MENTAL ILLNESS IN THE JUSTICE SYSTEM
LA COMMISSION DE LA SANTÉ MENTALE DU CANADA - CONTRIBUANT À MODIFIER NOTRE PERCEPTION DE LA MALADIE MENTALE DANS LE SYSTÈME DE JUSTICE PÉNALE (Simultaneous interpretation | Interprétation simultanée)

FRIDAY, OCTOBER 4, 2013 / LE VENDREDI 4 OCTOBRE 2013

BLOCK | BLOC 'D': 10:30 AM - 12:00 PM

❑ 20: THE ECONOMIC IMPACT OF TARGETING EARLY RISK FACTORS

❑ 21: A CRIMINAL JUSTICE SYSTEM FOR THE 21st CENTURY | UN SYSTÈME DE JUSTICE PÉNALE POUR LE 21e SIÈCLE (Simultaneous interpretation | Interprétation simultanée)

❑ 22: A COMPREHENSIVE APPROACH TO CRIME REDUCTION

BLOCK / BLOC 'E': 1:30 PM - 2:30 PM

❑ 23: WHAT WORKS WITH HIGH RISK YOUTH

❑ 24: THE REAL NUMBER OF WRONGFUL CONVICTIONS AND PRESUMPTIVE INNOCENCE

❑ 25: PAST CHALLENGES AND FUTURE OPPORTUNITIES WITHIN ABORIGINAL INITIATIVES

❑ 26: WHAT IS THE BUSINESS OF CORRECTIONS?

❑ 27: BAD DECISIONS – A RESULT OF FAULTY INFORMATION ABOUT CRIMINAL JUSTICE

❑ 28: STOP THE VIOLENCE BC: A CASE STUDY OF GRASSROOTS RESPONSES TO ORGANIZED CRIME, GANG VIOLENCE, AND HEALTH CONCERNS RELATED TO CANNABIS PROHIBITION IN BRITISH COLUMBIA

❑ 29: IS BIG REALLY BAD?

❑ 30: GROWTH IN THE PRISON POPULATION

❑ 31A: DEVELOPING A COMPREHENSIVE STRATEGY TO ADDRESS YOUTH GANGS: A SHIFT IN THINKING AND APPROACH

❑ 31B: CROSS-BORDER ECONOMIC CRIMES IN CHINA AND COUNTERMEASURES

BLOCK / BLOC 'F': 3:00 PM - 4:30 PM

❑ 32: PRESERVING THE RULE OF LAW: AN INTERNATIONAL PERSPECTIVE

❑ 33: MODELS TO IMPROVE POLICE PERFORMANCE

❑ 34: PROVIDING SUPPORTIVE HOUSING FOR CHALLENGING INDIVIDUALS

❑ 35: EFFECTIVE APPROACHES WITH DRUG OFFENDERS

❑ 36: EFFECTIVE INTERVENTIONS FOR YOUTH AT RISK

❑ 37: EFFECTIVE INTERVENTION WITH GANG INVOLVED OFFENDERS: 15 YEARS OF TRADE SECRETS

❑ 38: PUBLIC POLICY, ATTITUDES AND REAL LIFE IMPACTS / LES POLITIQUES GOUVERNEMENTALES, LES ATTITUDES ET LEURS INCIDENCES SUR LA RÉALITÉ DES GENS (Simultaneous interpretation | Interprétation simultanée)

❑ 39: ACCESSING JUSTICE

❑ 40: DOMESTIC VIOLENCE: WORKING TOGETHER TO REDUCE THE SOCIAL COST

❑ 41: RESEARCH AND PROGRAM COST EFFECTIVENESS: WASHINGTON STATE AND BRITISH COLUMBIA PERSPECTIVES

❑ 42: PRISON DESIGN TRENDS

SATURDAY, OCTOBER 5, 2013 / LE SAMEDI 5 OCTOBRE 2013

BLOCK / BLOC 'G': 8:30 AM. - 10:00 AM.

❑ 43: DEATHS IN CUSTODY | DÉCÈS EN ÉTABLISSEMENT (Simultaneous interpretation | Interprétation simultanée)

❑ 44: SOCIAL IMPACT BONDS

❑ 45: METRO VANCOUVER POLICING

COMBATING HUMAN TRAFFICKING IN ALBERTA:

LAW ENFORCEMENT AND CROSS SECTOR COLLABORATION

BY JULIE KAYE AND JOHN WINTERDYK

Julie is an Assistant Professor at Ambrose University College in Calgary, AB and John is a Professor at Mount Royal University in Calgary. Both Julie and John are also involved with ACT Alberta and this article is based on a letter submitted to the RCMP Commissioner to draw attention to recent changes in their response to human trafficking in Alberta.

NEXT TO DRUG TRAFFICKING AND ARMS DEALING, HUMAN TRAFFICKING HAS BEEN DESCRIBED AS ONE OF THE MOST PROFITABLE TRANSNATIONAL CRIMES IN THE WORLD. THE USE OF THREAT, FORCE, FRAUD, OR DECEPTION TO EXPLOIT PEOPLE FOR THE PURPOSES OF FORCED LABOUR, DOMESTIC SERVITUDE, SEXUAL EXPLOITATION, OR FOR HARVESTING HUMAN ORGANS IS A SERIOUS CRIME AND A VIOLATION OF HUMAN RIGHTS.

IN CANADA, AWARENESS OF HUMAN TRAFFICKING HAS GROWN IN RECENT YEARS, OWING BOTH TO THE EFFORTS OF FEDERAL AND PROVINCIAL GOVERNMENT AGENCIES AND THE EMERGENCE OF NONGOVERNMENT ORGANIZATIONS WITH MANDATES TO WORK WITH INDIVIDUALS VICTIMIZED BY TRAFFICKING. MANY OF THESE AGENCIES HAVE ALSO COMMITTED TO OFFERING TRAINING ON HUMAN TRAFFICKING.

Canada Among First to Ratify UN Trafficking Protocol

In response to the international consensus that human trafficking is a serious criminal activity, Canada was one of the first countries to formally ratify the United Nations *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* by introducing counter-trafficking legislation in the *Immigration and Refugee Protection Act* in 2002 (in particular Section 118), and in 2005 the *Canadian Criminal Code* added Section 279, which deals with both internal and international forms of human trafficking in Canada.

Action Coalition on Human Trafficking (ACT) Alberta

The Action Coalition on Human Trafficking (ACT) Alberta has engaged in a number of public awareness campaigns as well as specialized training for agencies that potentially come into contact with trafficked persons. Complementing this work, the Royal Canadian Mounted Police (RCMP), Canada's federal law enforcement agency, relied on a fulltime Human Trafficking Awareness Coordinator for their North West Region Immigration and Passport Section, a region that includes Alberta. This response was prompted by the emergence of specific reference to human trafficking in Canada's *Criminal Code* and other related legislation in the past decade to criminalize human trafficking and associated activities. Although the Awareness Coordinator provided an essential service in the identification of trafficked persons and the formation of a networked response to human trafficking, recent shifts in the RCMP and the restructuring of the immigration and passport section have eliminated this role, leaving a significant gap in the existing response to human trafficking in Alberta.

Public Safety's National Action Plan for Canada: A Cross-Sector Collaborative Response

More recently, in June 2012, Public Safety Canada also formally expressed commitment to national efforts to combat trafficking by launching Canada's *National Action Plan to Combat Trafficking in Persons*. In addition to building on existing protocols, the National Action Plan reinforces the importance of a cross-sector, collaborative response: "By strengthening partnerships with civil society and other levels of government, overall efforts to respond to human trafficking in Canada will be greatly improved." This includes provisions for the development of strategies intended to support organizations that offer assistance to trafficked persons.

RCMP Commitment to Leadership Role Threatened by Scant Resources

In addition to these measures, the RCMP "Report on Plans and Priorities 2013-2014," declares that the RCMP will take a "leadership role in educating those involved in the criminal justice system relative to the issue of human trafficking." The RCMP also plays a vital investigative and enforcement role in accordance with Article 5 of the UN Protocol. According to the National Action Plan, this role is to be expanded through the establishment of a "dedicated integrated investigative team" that will combine RCMP, Canada Border Services Agency, and the local police in an effort to conduct proactive human trafficking investigations. Notwithstanding such commitments, recent restructuring of the RCMP has raised concern about ongoing commitments to cases of trafficking in a context where enforcement agencies have faced significant challenges in laying human trafficking charges, and mechanisms to protect the rights of trafficked individuals remain significantly underdeveloped.

KEY GAPS IN CURRENT COUNTER-TRAFFICKING RESPONSES IN CANADA

Implementing New Legislation Difficult but Imperative for Laying Charges

Based on research undertaken by the authors and the first-hand knowledge of building a cross-sector collaborative response in Alberta, it is possible to identify some of the key gaps in existing counter-trafficking responses and some challenges the criminal justice system has faced in implementing the counter-trafficking commitments. Law enforcement has expressed significant challenges in implementing the *Criminal Code* legislation. As one law enforcement participant noted: "[It] is so unbelievably onerous, unfortunately, so onerous that we can't lay charges...it's horrific."

Significant Barriers to Protecting the Rights of Individuals Victimized by Trafficking

Alongside such challenges, individuals victimized by trafficking face significant barriers in their ability to report and cooperate with law enforcement representatives in criminal justice proceedings, including risks of job loss, deportation, and criminalization, among others. As one government representative suggested: "we could be missing a lot of the picture and a lot of them are afraid of law enforcement ... the social agencies are probably getting a bigger picture than the enforcement agencies."

Alberta Social Agencies Overwhelmed by Demand for Complex and Costly Services

As awareness continues to increase, referrals of instances of human trafficking to social serving agencies intensifies. For instance, between 2011 and 2012, referrals and reports of human trafficking to the ACT Alberta increased 500%. As cases presented themselves to ACT, the coalition mobilized to provide ad hoc case management, yet the cases proved highly complex, time consuming, and expensive. Some of the service provision requirements included safe accommodation, translation, legal support, housing, travel expenses, access to temporary residence permits, and so on.

Collaborative Service Provision Response Necessary but Undermined by Lack of Resources

Thus, in a context where law enforcement were facing significant barriers in implementing the legislation and social serving agencies were burdened by the complexity of service provision requirements presented by cases of human trafficking, the agencies worked towards building a collaborative response. The RCMP partnered with ACT Alberta as well as other key agencies, including the provincial government, local police, Citizenship and Immigration Canada, and Victim Service Units to develop a collaborative service provision response to human trafficking. Although ACT continues to provide case management, recent shifts in the RCMP raise question as to whether they have the resources they need to adequately investigate HT files and to what extent it might impact their capacity to engage in continued collaborative efforts with such organizations as ACT.

Commendable Ground-Breaking Collaborative Initiatives by the RCMP

Prior to discussing such concerns, it is important to first highlight some of the groundbreaking work the RCMP Immigration and Passport Section has completed by working collaboratively to combat human trafficking including the following recent initiatives:

- First human trafficking charges (under the *Immigration and Refugee Protection Act*) in Alberta laid in 2011 against Lipinski et al. in one of Canada's largest forced labour cases;
- Proactive investigations in partnership with the Government of Alberta Temporary Foreign Workers Advisory Office, Employment Standards, and other provincial bodies to identify human trafficking;
- Criminal investigations with municipal police forces in Calgary and Edmonton;
- Proactive work with the Action Coalition on Human Trafficking (ACT - Alberta, in collaboration with municipal police forces, Citizenship and Immigration Canada, the Government of Alberta and the Police Based Victim Service Units to develop Human Trafficking Protocols, the first of their kind in Canada;

- Outreach and training to hundreds of police officers and members on how to identify human trafficking;
- Providing a liaison between community and law enforcement for relationship building and education on human trafficking; and
- Maintaining institutional knowledge and data on human trafficking investigations and witness protection.

Progress Undermined by Elimination of RCMP Human Trafficking Awareness Coordinator

The Human Trafficking Awareness Coordinator, alongside the investigative team, has been a crucial component of collaborative response efforts, providing necessary services in training and awareness, outreach to victimized individuals, referrals and victim supports, and critical investigative capabilities on human trafficking files, particularly in rural and remote regions. Despite such a pivotal role, recent changes in the RCMP, in Alberta, have withdrawn the Awareness Coordinator position and restructured the North West Region Immigration and Passport Section under a broader ranging Serious Organized Crimes Division. And while operational decisions by necessity are always dynamic, the recent decision by the RCMP appears to have undermined the vital role they serve in implementing counter trafficking commitments in Alberta. Unfortunately, the trafficking debate in Canada is characterized by its substandard research, over reliance on anecdotal information, a dearth of convictions on human trafficking charges and at times moralistic positions. Nonetheless, in a context where substantial increases in referrals of trafficking experiences and requests for agency training continue to occur, it is imperative that enforcement agencies maintain resources to fulfill collaborative commitments in partnership with social serving agencies.

LESSONS LEARNED FROM ALBERTA

RCMP Urged to Resume its Important Leadership Position in Alberta

In this article, for practical reasons, we limited our focus to Alberta and the important leadership role that the RCMP has played in combating human trafficking. While we have been unable to assess the effect these recent changes are having in other parts of the country, the changes in Alberta seriously undermine a vital role in collaborative efforts to combat trafficking. Based on the evidence presented, the threat of human trafficking to the fundamental rights of people, the increasing number of referrals and reports of human trafficking, and the simple fact that Canada ratified the UN Protocol on human trafficking, we strongly recommend that the RCMP resume its leadership position in Alberta and Canada by dedicating human and other resources to combating human trafficking.

Reinstatement of RCMP Human Trafficking Awareness Coordinator Considered Key to UN Protocol Compliance

At minimum, this should include the reinstatement of the Human Trafficking Awareness Coordinator, the support of dedicated investigators and the ongoing collaboration with community organizations and victim services. To be in compliance with Articles 5 and 6 of the UN Protocol, it is essential not only to provide support through creating awareness but to support nongovernment organizations that work to support and protect individuals victimized by human trafficking. In an effort to maintain Protocol commitments, the RCMP should continue to support and train investigators with specialized experience in trafficking investigations, collaborative victim assistance, and complex witness protection.

Need for Coordination, Resourced Case Management, Cross-Sector Collaboration

Human trafficking is a complex crime and the RCMP, or any law enforcement organization, alone cannot deal with the problem. One of the indirect lessons demonstrated in Alberta is the need for coordination, resourced case management, and cross-sector collaboration with other government and non-government organization who are also involved in counter human trafficking and service provision work.••

RÉSUMÉ

Cet article révélateur pose comme postulat que le trafic de personnes au Canada constitue une activité criminelle que ni la GRC ou toute autre organisation de maintien de l'ordre ne peut contrer à elle seule. Tout en saluant les efforts déterminés et diligents du Canada en réaction à ce problème (ratification rapide du Protocole des Nations-Unies visant à prévenir, réprimer et punir la traite des personnes; la mise sur pied d'ACT Alberta; la création au sein de la GRC d'un poste à plein temps de coordonnateur de la sensibilisation à la traite des personnes; l'adoption par Sécurité publique Canada d'un plan d'action national axé sur une action intersectorielle menée en collaboration); une analyse de la situation albertaine démontre que des contraintes au chapitre des ressources peuvent contribuer à contrecarrer ces initiatives. Parmi les préoccupations exprimées dans cet article, une préoccupation majeure est liée à l'élimination du poste de coordonnateur de la sensibilisation à la traite des personnes, un poste que les auteurs voient comme essentiel pour assurer l'action intersectorielle et en collaboration envisagée et mandatée par le plan national.

LA POLICE DE MONTRÉAL ET D'AILLEURS - DÉFIS 2013-2015
DE QUELQUES SUGGESTIONS «UN PEU OSÉES» AUX DIRECTEURS DES SERVICE DE POLICE, AUX SYNDICATS DE POLICE ET AU MINISTRE DE LA SÉCURITÉ PUBLIQUE

PAR ANDRÉ NORMANDEAU,
Criminologue et «citoyen-contribuable», Université de Montréal

Quels sont donc les défis pour les deux (2) prochaines années (2013--2015) ? À mon avis, les voici :

1 A)

FRAUDES IMPORTANTES DES DERNIÈRES ANNÉES AU CANADA

La Ville de Montréal doit faire une « moitié de chemin », soit augmenter le nombre de policiers de 4500 à 5000, graduellement sur une période de cinq (5) ans, soit autour de 100 nouveaux policiers par année. La Fraternité des policiers de Montréal (le « Syndicat »), lors d'une conférence de presse récente, a souhaité, à juste titre, que les enquêtes en matière de crimes économiques soient améliorées en quantité et en qualité. Le Syndicat a grandement raison à ce titre. En effet, les fraudes importantes des dernières années, à la Vincent Lacroix, à la Earl Jones, ainsi que à la Carole Morinville, dont l'une des victimes est l'actrice Karine Vanasse, ont fait des milliers de victimes et ont sensibilisé l'opinion publique à l'importance de ces fraudes pour des milliers d'investisseurs, petits et grands, à Montréal, au Québec et ailleurs au Canada.

LA COMMISSION CHARBONNEAU

Et que dire des révélations sur la corruption et la collusion des administrations municipales à la lumière de la Commission Charbonneau ? D'où viendra l'argent pour financer ce « défi-fraudes » ? En partie, selon nous, d'une collaboration entre Montréal et le gouvernement du Québec (probablement du Canada, également ?). Déjà, par le passé, le ministère de la Sécurité publique du Québec a défrayé en partie la création d'escouades mixtes spéciales dans le domaine du crime organisé, des bandes de motards criminalisés de style Hells Angels, ainsi que des gangs de rue.

EXPERTS CIVILS EN ÉCONOMIE ET FINANCE SONT REQUIS VIS-À-VIS LA CRIMINALITÉ ÉCONOMIQUE

Il est temps de créer une nouvelle escouade « étoffée » en matière de crimes économiques, en y incluant par exemple les enquêtes sur les malversations bien connus depuis quelques temps dans l'industrie de la construction. Il faudrait aussi voir du côté du personnel civil du Service de police de Montréal (SPVM) où des experts civils en économie et finance sont également de plus en plus requis. Ceci dit, qu'il y ait 4 500 ou 5 000 policiers à Montréal, le Syndicat demandera toujours plus de personnel, d'une conférence de presse à une autre, d'une convention collective à une autre.

C'est de bonne guerre pour un syndicat, mais quand arrête-t-on ? Le problème des effectifs est le même d'une profession ou d'une occupation à une autre. Il n'y a pas généralement de réponse précise à ce genre de demande. Seule une comparaison avec des professions ou des occupations similaires dans d'autres villes, d'autres provinces, d'autres pays..., peut nous guider pour décider du nombre de policiers "idéal", du nombre d'infirmières, du nombre de médecins, du nombre de professeurs à l'élémentaire, au secondaire, au collégial, à l'université...

1 B)

UNE ALTERNATIVE / CRÉATION D'UNE AGENCE MIXTE SPÉCIALE D'ENQUÊTE PERMANENTE

Une suggestion complémentaire à celle-ci pourrait être envisagée. Peut-être même une alternative ? En effet, les enquêtes sur la criminalité économique exigent une diversité d'approches, d'expérience et d'expertise, qui dépasse l'enquête policière classique.

Pourquoi ne pas créer une « agence mixte spéciale d'enquête permanente ! » qui réunirait pour la première fois :

a) Les policiers spécialisés en la matière provenant à la fois du Service de police de Montréal, de la Sûreté du Québec et de la Gendarmerie royale du Canada;
b) Les enquêteurs civils appropriés de ces trois services de police;
c) Les enquêteurs civils de l'Autorité des marchés financiers (AMF);
d) Les enquêteurs civils de l'Association des banquiers canadiens (ABC);
e) Les spécialistes en la matière parmi les grands bureaux de comptables, d'économistes et de conseillers financiers;
f) Les spécialistes en la matière des ministères des Finances, du Revenu (impôt), de la Justice et de la Sécurité publique des gouvernements du Québec « et » du Canada ?

2

LE SYNDICAT

Le Syndicat des policiers de Montréal doit également faire l'autre « moitié de chemin ». Les policiers doivent travailler « plus et mieux ». Et ils en sont capables car plusieurs policiers sont hautement motivés par leur travail. Pour cela, il faut arrêter de diminuer le nombre d'heures de travail des policiers d'une convention collective à l'autre. Une nouvelle convention collective est d'ailleurs en chantier cette année. Elle devrait, à mon avis, prévoir une augmentation graduelle sur cinq (5) ans des heures de travail de 32 heures (actuellement) à 40 heures.

Le Syndicat a beaucoup reçu depuis 40 ans en termes de conditions de travail, soit depuis l'émeute de 1969, dite de la Murray Hill, où la Ville, représentée par le maire Jean Drapeau et son bras droit Lucien Saulnier, a accédé à presque toutes les demandes du Syndicat, en pleine nuit et en plein désordre. Une partie des demandes était alors justifiée car les conditions de travail, y inclues les salaires, étaient inappropriées et favorisaient la corruption policière. Mais la situation a bien changé. Du derniers tiers des salariés en termes de rémunération salariale, les policiers de Montréal (et d'ailleurs au Québec et au Canada) sont maintenant dans le premier tiers.

DES SALAIRES DE 80 000 $ PAR ANNÉE POUR LES JEUNES POLICIERS DE 25 ANS, POUR 32 HEURES…

Un jeune policier de 25 ans reçoit actuellement un salaire de 80 000 $ par année pour ces 32 heures. Plus le temps supplémentaire qui intervient assez souvent. Les avantages sociaux (leur assurance-santé complémentaire, par exemple), sont également fort généreux. En retour, le Syndicat doit faire également « sa part », en demandant à ses membres de travailler un peu plus. Le Syndicat s'est battu depuis tant d'années pour faire reconnaître le métier de policier comme une « profession ». Il faut donc travailler comme des « professionnels ». Je ne connais pas de professionnels « véritables » qui travaillent seulement 32 heures par semaine, comme les policiers actuellement. Un « vrai » professionnel travaille au moins 40 heures, sinon 45, 50 ou plus. Évidemment, je reconnais que plusieurs cadres intermédiaires et supérieurs du SPVM travaillent plus de 32 heures, sans être toujours payés pour ce temps. Comme les cadres d'autres services publics et privés.

3

« DONNEURS DE BILLETS » SURPAYÉES AU LIEU DES AGENTS CIVILS ?

Le Syndicat se plaint que les policiers sont devenus trop souvent des « donneurs de billets de circulation et de stationnement ». L'on pourrait donc remplacer ces policiers payés autour de 80 000 $ par des « agents civils », responsables de faire respecter les règlements municipaux, y compris la circulation et le stationnement. Il y en a déjà. On compléterait. Ces agents seraient payés autour de 35 000 $. Plusieurs jeunes seraient sûrement intéressés à ce genre d'emploi. L'on devait probablement réviser la loi sur les pouvoirs de la police en la matière, en conséquence.

4 A)

RETRAITE DES POLICIERS APRÈS 25 ANS DE SERVICE / PERTE DE « L'EXPÉRIENCE » AINSI QUE DE « L'EXPERTISE »

La retraite des policiers de Montréal (et d'ailleurs), après 25 ans de service, est une « aberration ». La plupart des policiers en profitent donc pour se retirer autour de 45 à 50 ans, avec pleine pension, sans pénalité, et avec une indexation annuelle automatique au coût de la vie. Pourquoi eux et non les autres citoyens qui doivent attendre en général leurs 60 ou 65 ans ? À mon avis, l'âge de la retraite des policiers doit être reporté également à 60 ou 65 ans, comme la plupart des citoyens. Nous avons besoin de « l'expérience » ainsi que de « l'expertise » de plusieurs policiers de 50 ans. Pourquoi la société s'en priverait-elle, après avoir fort bien traité ses policiers ? Le système actuel est « catastrophique » pour la société montréalaise (et québécoise) et pour la société canadienne en générale. Soyons réalistes ! Partout en Amérique du Nord et en Europe, l'on songe, si ce n'est déjà fait, à relever l'âge de la retraite légale, compte tenu du vieillissement de la population et des coûts engendrés. Plusieurs pays ont récemment relevé cet âge de 60 à 62 ans en France, de 60 à 65 en Grèce, de 65 à 67 en Allemagne et en Espagne, de 65 à 68 au Royaume Uni. Donc ...

QUOI FAIRE AVEC LES POLICIERS TROP « FATIGUÉS » ?

Si « certains » policiers sont trop « fatigués », ils pourraient alors être réaffectés à des emplois gouvernementaux (au niveau municipal ou provincial) où leurs services seraient les bienvenus puisque nous en manquons cruellement, à savoir : inspecteurs pour le protection de l'environnement (pollution de l'air, de l'eau...), pour faire respecter les règlements de l'industrie de la construction, les directives de la loi électorale du Québec, ou en matière de règlementation des transports publics et privés, par exemple ?

4 B)

JUSTICE SOCIALE

J'ai déjà pensé que ma réaction au sujet de l'âge de la retraite des policiers relevait d'une « jalousie professionnelle ». Après réflexion, je considère maintenant qu'il s'agit plutôt de « justice sociale ». Alors que les ressources publiques sont relativement restreintes, pourquoi une société devrait-t-elle payer des fonds de pension à des gens de 50 ans, pendant possiblement 25 ou 30 années, pour permettre aux policiers de « jouer au golf » et/ou de travailler avec un deuxième salaire complet

(et un deuxième plan de retraite) en sécurité privée, par exemple ?

5

ASSEZ, C'EST ASSEZ…
PRIMES DE DÉPART DE 250 000 $ ET PLUS

Nous avons appris au cours des dernières années que certains directeurs de police ont reçu une prime de départ de 250 000 $ et plus. Compte tenu des abus de ce genre de prime que l'on constate depuis quelques années au départ de plusieurs professionnels, au niveau public comme au niveau privé, il me semble qu'une telle politique ne doit plus être renouvelée. Il faudra à l'avenir surveiller attentivement ce genre de contrats. Ces professionnels reçoivent à leur départ un excellent régime de retraite. Assez, c'est assez ! De nouveau, ce n'est pas de la jalousie professionnelle qui me guide, il me semble, mais un sentiment de justice sociale.

C'EST LE SYSTÈME QU'IL FAUT CHANGER

Je n'en veux pas personnellement aux directeurs de police ou à tous les autres qui ont reçu de telles primes de départ par le passé, aux services de police comme dans les autres services publics et privés, y compris aux hommes et aux femmes politiques. Toutefois, c'est le système qu'il faut changer pour ne pas reproduire de tels abus à l'avenir, dans la police comme ailleurs. Commençons dès cette année en 2013 ! ● ●

ABSTRACT

Discussing the reported surge in economic crime over the past several years and taking the Charbonneau Commission into account, criminologist André Normandeau, says Montreal and the city's police brotherhood (the "union") must both do their part to improve the response to economic crime. Normandeau notes that the historical strength and "success" of the union has resulted in a system wrought with problems, including the following:

- *Police officers earn 80 000 per year by age of 25 and retire after 25 years with full pension and benefits resulting in a costly and unwarranted loss of expertise and experience;*
- *Police ticketing parked cars are overpaid; ticket enforcement officers would do the job for 45 000 less per agent per year;*
- *Severance bonuses of 250 000 for certain chiefs; this practice is increasingly criticized in other sectors having highly paid professionals with great benefits, and upscale retirement packages.*

According to the author, combating economic crime requires a diversity of approaches, experience, and expertise that is beyond the capacity of the classic police inquiry and calls for the establishment of a permanent specialized agency that would, among several other listed in the article, unites the provincial and Montreal police with RCMP, specialists from the Quebec and federal departments of finance, revenue (income tax), etc. In this informative article, the author thus highlights the complicated but imperative need for change if justice is to be served, but asks who will foot the bill?

POLICE BOARDS & THE PURSUIT OF POLICE INDEPENDENCE

BY DARREN R. CAUL,

who was a two-term member of the Calgary Police Commission and founding Member of the Alberta Association of Police Governance before completing his MA in Criminal Justice at the University of Fraser Valley.

It has often been said that police and crime are inherently political. Governments are almost always elected with a specific "law and order" agenda, and campaign pledges often have a direct impact on police. Crime is thus strategically cast as a problem to be solved through political action amidst an environment where politicians must be seen as "tough on crime." At the same time, however, policing costs are increasingly consuming municipal budgets. It is understandable, therefore, that elected officials take great interest in the affairs of police agencies, yet the lines between appropriate interest and influence and those of pressure and political interference are "not easily negotiated" or "are often blurred".

Under the rubric of a Westminster system, police must be subject to ministerial responsibility, yet democracy demands police also independent of political interference. An historical review of police/state relations, particularly Canadian commissions of inquiry, reveals that the seemingly dichotomous doctrines of police accountability to the state and autonomy from the state present an enduring and vexing challenge. History provides several examples of attempts to use police as a political apparatus, yet "there exists an equally unsettling history of police agencies acting as a law unto themselves" (Sossin, 2004: 30-31). How to guard against one extreme while not opening a door to the other is a critical balancing act and one which municipal police boards are designed to mediate.

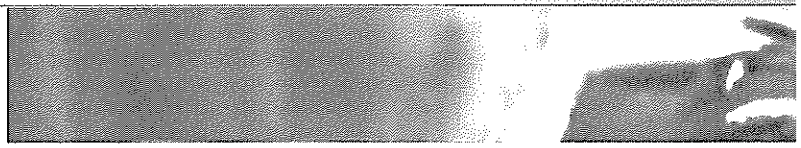
Police governance in Canada enjoys a rich and well-documented history spanning more than 150 years. Established to provide essential guidance to the administration of police, police boards were also intended to remove police from the direct political control of ward aldermen that dominated police departments at the time. Since their inception in 1858, Canadian police boards have experienced substantial changes to their membership and authority yet the fundamental mandate of the board to affect the competing but compatible principles of police accountability and independence remain intact.

EVIDENCE OF POLITICAL INTERFERENCE IN POLICING IS HISTORICALLY ANECDOTAL AND ITS PREVALENCE ENTIRELY UNKNOWN

The structure of police boards has also changed over the years and while there is considerable variation today, boards have ostensibly retained political structures despite the historical persistence of political interference in policing. Elected officials continue to sit as voting members and occupy, in some jurisdictions, executive roles including that of Chair. In almost all cases, city council is responsible for appointing/terminating some or all citizen board members and approving the police budget. Consequently, elected officials are powerfully positioned to control a board's structure and influence its outcomes. In the extreme, the unfettered control of a police board provides an opportunity for elected officials to influence the police service through the Chief Constable. With scant exception, evidence of such behaviour is historically anecdotal and its prevalence entirely unknown. Moreover, any relationship that exists between these incidents and the structural involvement of city council in the police board is both unclear and empirically untested. It is against this backdrop that the author undertook one of the first studies of its kind in Canada to examine the relationship between police board structure and police independence, as perceived by the municipal police chiefs.

THE RELATIONSHIP BETWEEN POLICE BOARD STRUCTURE AND POLICE INDEPENDENCE AS PERCEIVED BY MUNICIPAL POLICE CHIEFS

In 2008, as part of his post-graduate work, the author hypothesized that the more inherently political a police board structure - as defined by its size, composition, appointment processes, and particularly the ratio, role, and rights of



elected officials on the board - the less independent the police service would be from the perspective of the Chief Constable. In practical terms, the research project was designed to see if police board structure matters when it comes to police independence, as reported by the police chief. To examine this issue, a confidential 51 questions was sent to 166 Chief Constables across Canada. Among the 94 surveys returned (57% return rate), 75 respondents reported to a police board and painted a picture of police governance in Canada that was both timely and unexpected.

Does Police Board Structure Matter?

Most importantly, the study revealed board structure did not significantly matter when it came to any of the indicators of political interference and police independence, as reported by the chiefs. Specifically, a board's size, composition and appointment processes did not matter. Moreover, and more surprising, the ratio, role, and rights of elected officials on the board also did not significantly matter. In other words, whether a board was comprised of nine with two elected officials (i.e., Chair and Vice-Chair) or a smaller board with elected officials comprising the majority and performing executive roles, there were no significant differences in the police chief's perceived independence.

A Documented Account of Political Interference in Investigations

However, the study provided the first documented account of the prevalence of political pressure and interference experienced by Canadian police chiefs, including interference in investigations. Moreover, a number of insightful relationships were observed which revealed subtle but important blind spots in police governance. At the same time, the study uncovered some unexpected insights about what matters and offered a generally optimistic outlook on police governance in Canada.

Blind Spots in Police Governance: From Political Pressure to Interference in Policing

Of some concern, nearly half (47%) of the police chiefs reported pressure in the last six months from a council member about where and when to deploy police; a matter that is generally considered operational and outside the policy domain of police boards. More concerning was that 11% of respondent chiefs reported pressure in the last six months to hire/contract a particular person as a sworn or civilian employee.

For the sake of this study, political interference was defined as "direct involvement of political authorities in policing operations, as opposed to policy and funding". Remarkably, 41% of respondent police chiefs revealed political interference from a council member/mayor in the previous six months. Most alarming, 40% of these chiefs reported political interference in the last six months from a council member/mayor regarding an investigation. This finding was the most troublesome of the study and was a sharp signal from chiefs that politics continue to permeate policing despite the presence of police boards, a finding that has been widely and historically supported by the literature (see, for example, Griffin, 2006).

The study revealed another "blind spot" in police governance arising from the experience of police chiefs with council members not on the police board. Specifically, council members not on the board frequently contacted the chief privately about policing matters, rather than communicating through the police board. Noteworthy, police chiefs were slightly less likely to feel independent during these private contacts and marginally more likely to report political interference from these council members than those on the board.

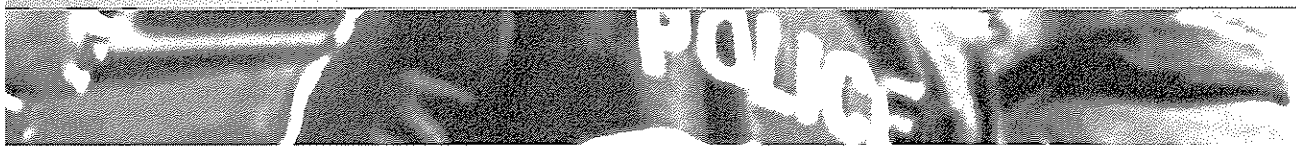
Silver Linings: Chiefs of Police Support Council Members on Police Boards

Despite the isolated allegations of inappropriate political involvement in police investigations, chiefs almost unanimously supported having at least one council member on the board. Chiefs also agreed overwhelmingly that council members in an executive role on the board understood and respected police independence. Moreover, there was no relationship found between the role of council members on a police board and the indicators of political interference. Noteworthy, however, a high ratio of chiefs proposed a more limited role for elected officials.

While this is suggestive of an undercurrent of consternation, the underlying source was unclear. It may be a principled position that boards should be independent, non-partisan, and a "political buffer", or may signal some other phenomena. While the findings of the study should quell the periodic calls to remove council members entirely from police boards, it is apparent that a more focused review of their precise role is necessary.

Are Mayors and Police Boards a Poor Mix?

Most contentious in relation to the role of elected officials on police boards is the specific role of a mayor. On this subject, several findings emerged in this study that brought focus to the otherwise broad assertion that mayors and police boards are a poor mix. Foremost, there was no significant finding to suggest that mayors on the police board erode police independence.



Silver Linings: Appointments

The perception among police that the appointment process to police boards is political patronage rather than merit-based is well-documented (see LaLonde & Kean, 2003). However, this survey's findings revealed that chiefs presented a much more divided view. The chiefs were split equally when asked if appointments were merit-driven, while only a slight majority perceived the process as (political) patronage. The dissonance may be a function of assumption or general scepticism about appointments by political bodies or a by-product of high profile instances of political patronage that tend to shape opinions.

Although the chiefs appeared to have a more balanced view of the appointment process, it was clear from the results that a problem remained; more so for municipal governments, as chiefs perceived only two-thirds of their police board appointees as politically independent compared to nearly all provincial appointees. Of particular interest to policy-makers and legislators, board members with terms of three or more years were more likely to be perceived as politically independent and effective as a political buffer.

Silver Linings: Chiefs' Outlook

Most significantly, the results of this research offered a generally optimistic report on police independence in Canada, as evidenced by the overwhelming majority of chiefs who stated that they generally feel independent from municipal (95%) and provincial (99%) political interference. Equally assuring, the chiefs' reported feeling independent when making operational decisions, a hallmark of appropriate police/state relations in a liberal democracy.

Overall, the chiefs of municipal police services signalled a general satisfaction with the structure and operation of police boards today. In fact, the chiefs' responses were overwhelmingly positive, with 92%) stating that the police board "added value to their police service and/or community". The chiefs added that their boards were supportive, knowledgeable, serving as a link to the community, a buffer for independence, and providing the critical functions of governance and oversight.

What Matters: Legislated Mandate

While there was considerable consistency in the legislated mandate of police boards, slightly less than half were responsible for civilian complaint oversight. Noteworthy, respondent chiefs from boards with this responsibility reported feeling less when making policy decisions. Although the drivers for this finding were difficult to distill, it may be a by-product of the troublesome operations/policy framework that guides police boards.

What Matters: Internalizing "Political Buffer" Mandate

Although the raison d'être of police boards is that of "political buffer", this concept is neither acknowledged nor advanced in policy or legislation. Given the historical persistence of politics in policing, some argue that it should be a "political buffer" mandate, yet the findings here suggested that this is already understood by police boards. An overwhelmingly 84% of respondent chiefs reported that police boards internalized a "political buffer" mandate, and in almost all cases (90%) the chief perceived the board as an effective buffer. Noteworthy, the reverse was equally true, with 92% of those boards not internalizing the mandate being perceived by their chief as ineffective in so doing. These results suggest, as a precondition to effectively safeguard a police service from political interference, its board must first see itself as having such a mandate.

Call to Reform: *Interference in Policing Vis-à-Vis Criminal Investigations and Training in Police Independence / Governance*

While this research offered a generally positive outlook on the state of police governance in Canada, it also highlighted some persistent blind spots and punctuated the need for strategic policy and legislative reform. Most pressing is the need to explore further the matter of political interference in policing, particularly in relation to criminal investigations. Further, there is a principle-based need for all newly elected municipal council members to receive training in the areas of police independence and governance. Police boards and policy-makers would also be well-served to contemplate the legitimate police-related needs of elected officials, particularly those not on the board, and to establish appropriate communication channels for those needs to be met. Unfettered access by elected officials to the chief, particularly by people who may be lacking a requisite awareness or appreciation of the principle of police independence, is troublesome. Last, the processes associated with the appointment, tenure and dismissal of police board members would also benefit from reform.

A FEW RECOMMENDATIONS REGARDING POLICE GOVERNANCE

Here are a few recommendations, many which were proposed by Oppal in his comprehensive 1994 review of policing in British Columbia:

1. That municipal governments would be better served by establishing an independent nominating committee comprised of citizens and city employees to screen police board applicants.

2. That short-listed applicants to a police board be interviewed and that unsuccessful candidates be provided with "written reasons upon request why they were not recommended for appointment" (B-61).

3. That individual police board members be offered better protection from political dismissal without cause through policy that requires "board members whose terms are not renewed be provided with written reasons within 30 days of request" (B-70).

CONCLUDING REMARKS

Canada has a long and rich history of policing excellence that relies critically on effective police governance. An examination of the relationship between police and the state exposes an enduring and vexing challenge to mediate the competing, but compatible principles of police accountability and independence. This project attempted to demonstrate whether police boards were structurally more or less susceptible to control by elected officials, and whether such susceptibility manifested itself as political interference intruding on police independence.

While this article touched only some of the key research findings, it refutes any significant relationship between police board structure and police independence. The results, however, also document a persistence of political pressure and political interference into investigations; these results are both alarming and pressing. The ongoing pervasiveness of political pressure and interference perceived by police chiefs raises several significant issues that must be explored by academics and practitioners and addressed by policy-makers and legislators.

There remains a dearth of knowledge surrounding police governance in Canada. This research raises issues and signals the existence of blind spots that, unabated, present a real threat to police independence in Canada. At the same time, it revealed a very positive perspective among police chiefs about the role of police boards, the contributions of elected officials, and a generally positive outlook by chiefs on the current state of police independence and police governance in Canada.••

REFERENCES

Griffin, D. (2006, March 7). *Police Board Governance. A Police Association Perspective.* Paper presented at the Police Employment in 2006 Conference, Toronto, Ontario.

LaLonde, M. W. & Kean, D. W. (2003). Municipal Police Board Governance in British Columbia.

Oppal, W. T. (1994). *Closing The Gap: Policing and the Community. Victoria,* BC: Attorney General - Commission of Enquiry Policing in British Columbia.

Sossin, L. (2004, June 29). *The Oversight of Executive Police Relations in Canada: The Constitution, the Courts, Administrative Processes and Democratic Governance.* Paper presented at the Ipperwash Inquiry/ Osgoode Hall Law School: Symposium on Police/Government Relations, Toronto, Ontario.

RÉSUMÉ

Le Canada a une longue et riche histoire d'excellence en matière de maintien de l'ordre; celle-ci repose sur la gouvernance des services policiers. L'étude de Darren Caul sur la relation entre la police et l'état met en lumière un défi persistant et vexant, celui de servir d'intermédiaire entre des principes en concurrence, mais compatibles, en l'occurrence l'obligation de rendre compte et l'indépendance des services policiers. Caul réfute l'existence de tout lien significatif entre la structure des commissions de police et l'indépendance des services policiers; il signale toutefois la persistance de pressions et d'interférence politiques au chapitre des enquêtes. Il souligne aussi l'existence de certains « angles morts » qui menacent l'indépendance policière, mais il met en lumière une perspective policière positive émanant des directeurs de police quant au rôle des commissions de police, à la contribution d'élus et quant à l'état actuel de l'indépendance et de la gouvernance policières.

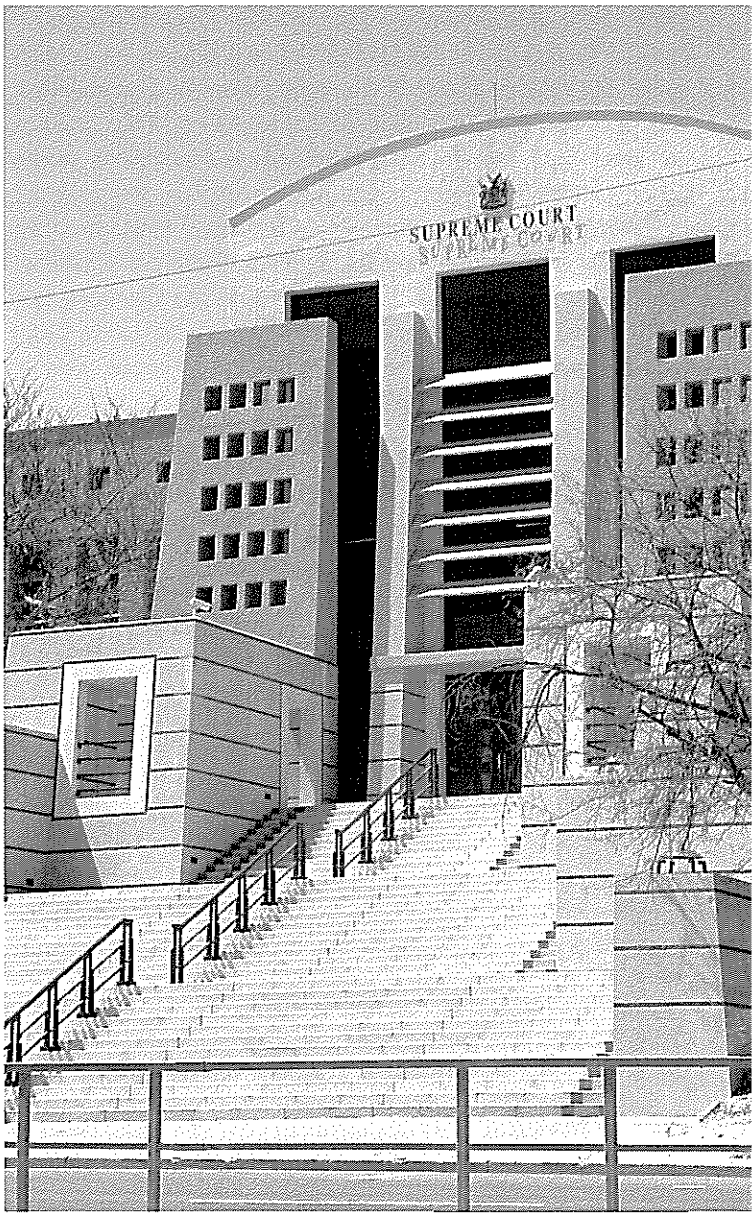
PRELUDE TO INTERNATIONAL ISSUE

CANADIAN'S REFLECTION ON JUSTICE REFORM IN NAMIBIA: A SOUTHERN CELESTIAL STAR?

BY PROFESSOR JOHN WINTERDYK, Department of Justice Studies, Mount Royal University, Calgary, Alberta

ABOUT THE AUTHOR: The content for this article was based on the first-hand experience of the author, who made several consulting and teaching trips to Namibia while on sabbatical leave in 2012 and 2013 and held discussions with various stakeholders including representatives of the Legal Assistance Centre, gained access to several official reports, and regularly monitoring of the national newspaper, The Namibian.

Canada has a long rich heritage when it comes to its criminal justice system (CJS). Arguably, it is a system that is one of the most highly regarded around the world. In virtually every sector of our CJS, Canadians can point to persons who have represented their professions while assisting other nations, especially developing countries, in establishing a CJS that can command the respect of the populace it serves. As the Prosecutor General for Namibia said a few years ago, "Until we have an effective criminal justice system, forget about democracy, the rule of law, investment, peace, and stability. The criminal justice system is the core."



NAMIBIA DEDICATED TO CREATING A CJS THAT ADHERES TO INTERNATIONAL STANDARDS, BUT IT REMAINS A SYSTEM IN TRANSITION

In terms of countries in sub-Saharan Africa, Namibia can be described as a country determined to create a criminal justice system that adheres to international standards established by such bodies as the United Nations. For example, Namibia was the first country in the region to sign the UN's *Convention on the Rights of the Rights of the Child* (CRC) in 1990 and it became the first country to ratify the *African Charter on the Rights* and *Welfare of the Child*. Along with creating its own Constitution in 1990, Namibia, at face value, has prepared all the 'necessary' legislation for creating a criminal justice system that protects public safety, is guided by a sound and fair legal system, champions human rights, and emphasizes the reform and rehabilitation of its criminal offenders. However, upon closer examination, despite having introduced numerous progressive reforms since 1990 – some with the support and assistance of the international community, including Canada – by most international standards the Namibian criminal justice system could still be characterized as a system in transition.

NAMIBIAN CJS STILL AFFECTED BY THE LEGACY OF COLONIALISM... IN SPITE OF ITS RECENT INDEPENDENCE

In the African context, Namibia can be considered a relatively safe country. And while it is a fairly large country geographically, the fourth largest in Africa, its population is a very modest 2.2 million people, more or less. There is clear evidence of its former existence as a German colony known as South-West Africa (from 1884 to 1915) even to the point where some towns and street names are German. Somewhat ironically and similar to Canadian Indigenous people, native Namibians never subscribed to land ownership. The Germans even attempted to commit genocide against the Herero and Namaqua people – a history that has not been lost on many Namibians. After Germany was forced to surrender its overseas territorial properties after the Great War (i.e., World War I), colonial domination was resumed in 1920 when the League of Nations (precursor to the United Nations) placed the country under the rule and law of the then Union of South Africa, later the apartheid Republic of South Africa. This situation persisted until March 21st, 1990 when Namibians finally achieved their hard-won independence. Again, the evidence of foreign rule and oppression can be found throughout the country. In and around the capital of Windhoek are numerous monuments paying homage to battles with the Germans and the fight for eventual liberation and nationhood in 1990. Every year on August 26th the country celebrates Heroes' Day to commemorate their independence.

NAMIBIA'S PRISON SERVICE HISTORICALLY AN INSTRUMENT OF OPPRESSION

Namibians are cognizant of their country's past struggles. For example, in May 2013 at the annual celebration of liberation from South Africa, the women in the northern Omusati region received resounding applause for singing a song about "killing the Boers" – a term used to describe the whites from South Africa. However, with its war-torn past there is clear evidence of an oppressive legacy within the criminal justice system's culture. For example, it was not until 2007 that the Namibian Prison System was renamed the Namibia Correctional Services, and prisons now fall under the Ministry of Safety and Security. The Namibian counterpart for the Commissioner of the Royal Canadian Mounted Police has the paramilitary title of "Inspector General".

"PASSION KILLING" AND RACIAL DISCRIMINATION... PATRIARCHAL LEGACIES OF INTOLERANCE FROM THE COLONIAL PAST

In spite of various attempts, Namibia still does not have a functioning juvenile justice system or related legislation, and according to Amnesty International, Namibia continues to struggle with human rights issues related to Capivari region (in the northeast region of Namibia) detainees who rebelled against oppressive treatment, with serious overcrowding conditions especially at the Windhoek Central Prison, with persistent violence against women and children, and with what is locally referred to as "passion killing" (e.g., men killing women who reject them). Added to this is ongoing discrimination against certain ethnic minorities such as the San or Bushmen, and Ovahimba or Himba peoples. Both groups are from the northern regions of the country.

LIMITED CRIME-RELATED DATA SETS NAMIBIA BACK BY CANADIAN STANDARDS

One of the first benchmarks informing strategic planning and operations are reliable crime statistics. Although subject to varying degrees of criticism, Canada has an adequate crime reporting system that is reasonably sophisticated. By contrast, crime-related data across the justice system in Namibia are very limited. For example, the Namibian Police Force does collect limited data primarily used to inform their own strategic and operational planning, however, in 2010 the police discontinued their daily crime bulletin as part of a new communications strategy; the rationale for this is it would help minimize the shroud of guilt around those arrested or suspected of having committed a crime! The same unfortunate situation exists with respect to data in both the judicial system and in corrections. What limited crime data and information that is available would appear to undermine, or underestimate, the true extent of crime because a review of local and national newspapers are sprinkled daily with serious crime incidents, one of the most recent being an assault charge lodged against a former senior government minister.

LACK OF DATA LEADS TO FEAR OF CRIME AND LITTLE TRUST IN THE CJS BY NAMIBIANS

In fact, notwithstanding media sensationalism (including graphic pictures that might usually appear in tabloids in North America), domestic violence, rape, and other forms of violence appear to be on the increase. Moreover, when walking or driving around the capital or surrounding communities, virtually every residence, or building, is protected by an external perimeter of barbed wire or electrified fencing, closed-circuit television, along with guard dogs and/or private security guards. However, given that there is virtually no reliable data on the arrest and prosecution of offenders, it is difficult for the general public to have an informed opinion about the relative effectiveness of the criminal justice system. This in turn contributes to a high level of fear of crime and a low level of trust and faith in the CJS.

NAMIBIAN POLICE UNDER-RESOURCED, UNDER-TRAINED AND BURDENED BY A PARAMILITARY MODEL OF POLICING

In addition to the woeful state of official data at any level of the Namibian criminal justice system, various formal and informal reports have noted that the police are under-resourced, lack sufficient training, and are burdened by an outdated paramilitary model of policing that shows no immediate signs of reform. Nonetheless, the Namibian Police Force's mission includes this statement:"...due consideration for the fundamental human rights and freedoms, without compromising in upholding the tenets of law and order, safety and security of all persons".

LOW OVERALL LEVELS OF EDUCATION ENGENDER LACK OF PROFESSIONALISM AMONG NAMIBIAN POLICE

The police force (not "service" as is commonly used in Canada) for the country amount to around 12,000 personnel. While respectable by international standards, in some regions of the country police officers must patrol on foot because they cannot afford police vehicles or the gas to cover their vast jurisdiction. Needless to say, although police uniforms are quite presentable, police salaries are reportedly very poor. Further, any effort to professionalize the police force is hampered by the fact the minimum educational requirement is completion of Grade 10. Hence, it should come as no surprise that media stories abound about police misuse of power, unlawful arrests and detention, and excessive use of force – in particular with respect to some of the previously mentioned indigenous minority groups in the country. A July 2012 media article reported that over 165 Namibian police officers had been discharged from the force and another 25 suspended due to "indiscipline, misconduct and other crimes". Notwithstanding this rather bleak picture, there is an Ombudsman's office that oversees the conduct of the police. However, most cases are turned back to the police to resolve.

DUE PROCESS AND THE RULE OF LAW IN NAMIBIA CONSISTENT WITH CANADA'S CJS

In terms of due process and the rule of law, all Namibians are entitled to a fair and speedy trial in accordance with their Constitution. In addition, and consistent with Canada, all suspected offenders are entitled to be presumed innocent until proven guilty. In fact, constitutionally, a Namibian suspect is entitled to all the same rights as a Canadian suspect. Unfortunately, based on available official and unofficial sources, the courts are seriously backlogged and there are numerous examples of protracted court appearance delays and a lack of legal representation more acute in some regions than in others. To further compound the problem, the public has called for harsher punishments and the court dispositions have, on balance, not been reflective of the "minimum sentence rules". A few years ago while referring to a range of serious cases that appeared before the courts, the Justice Minister commented that the "judiciary was too quick to protect the rights of people accused of crimes and disregard the human rights of victims of crime." It is clear that while the judiciary is supported by sound and honourable legislation, there appears to be considerable room for legal reform, the protection of human rights, and fairer administration of justice.

NAMIBIA PILOTING CANADIAN-SUPPORTED OFFENDER RISK MANAGEMENT SYSTEM (ORMS)

Not dissimilar to the Canadian correctional system, in Namibia the primary objective of the correctional system is to ensure that offenders are kept safe and ensured of their basic human rights. In addition, the Namibian Constitution includes a provision that inmates should be provided support for rehabilitation and reintegration back into society. Unfortunately, the majority of the country's 13 prisons are overcrowded; there is a serious incidence of HIV and AIDS in these prisons; recidivism has been approximately 60 percent since 2010, and programs in penal institutions other than Windhoek Central Prison are very limited. In recent years, however, there have been efforts to introduce on a pilot test basis for educational, life skills, and other related programs. The country is also currently pilot testing the Offender Risk Management System (ORMS) – a Canadian-supported initiative. In 2012, the International Corrections and Prison Association presented the Commissioner of Prisons an award for "Outstanding contribution to the Association". Commissioner Shikongo was praised for all the reforms he has helped bring about within corrections in the country.

CAPACITY FOR REFORM

Among other examples of Shikongo's attempts at reform, such as due process and rule of law and the ORMS mentioned above, in 1998 the country established its first criminal justice program at the Polytechnic Institute of Namibia that over the past number of years has benefited from Canadian and other international experience/expertise, and today offers a range of programs for students aspiring to modernize and professionalize the CJS in their country. Over the past few years, this program has included professionals from corrections and law enforcement, many of whom have been promoted into positions of greater responsibility, who are using their knowledge to promote reform and research initiatives. Another correctional initiative that is gaining some traction is the introduction of community service orders. Workshops are also being conducted throughout the country

with representatives from all the respective CJ stakeholders who are invited to meet and discuss reform ideas. In addition, incarcerated offenders are no longer referred to as prisoners but as "offenders" or "inmates" and in 2007 the government introduced the Corrections and Conditional Release Bill.

Although there is still a drastic shortage of such professionals, the Namibian Correctional Services has begun to hire social workers and psychologists to provide support services. The Department of Criminal Justice and Legal Studies at the University of Science and Technology of Namibia (formerly the Polytechnic Institute of Namibia) has for the past few years admitted a growing number of students who are currently working in either corrections or law enforcement. These students are being encouraged and supported by their employer and, moreover, their efforts are being recognized and supported through either promotions and/or increased responsibilities. Finally, in 2014 Namibia will be hosting the 16th International Corrections and Prison Association (ICPA) conference, again thanks in large part to the efforts of some Canadians.

CANADA'S CJS DATES BACK ALMOST 150 YEARS, NAMIBIA'S CJS ONLY 23 YEARS

Thus, while the current status of the Namibian CJS could be described as bleak, it must be remembered that Canada's criminal justice system is the product of an evolutionary process almost 150 years in the making. Namibia gained independence only 23 years ago and from that starting point, along with support from the international community, it has made and continues to make real progress.

Namibia is thus slowly emerging from an oppressive history, but it is a country with rich resources, resilient and proud people who are becoming increasingly aware of their potential to become a leader and model for what can be achieved within the Sub-Saharan region. The criminal justice reforms require patience; there is still much work to be done. While the international criminal justice community should continue to provide support and guidance, more importantly it must also help to empower the people of Namibia to take ownership of their justice system. Like the famous red dunes of the Namibian Sossusvlei desert – the oldest desert in the world – the justice reforms may bend to the forces of nature (i.e., economics, politics, and historical legacies) but in the end I am confident this beautiful country and its redoubtable people will find a way to prevail.••

RÉSUMÉ

Cet article comparatif traite du système de justice pénale très respecté du Canada et du système de justice pénale émergent de la Namibie. On y met l'accent sur le fait que la Namibie a acquis son indépendance il y a 23 ans seulement, mais qu'elle a déjà adopté les principes de l'application régulière de la loi et de la primauté du droit, déposé un projet de loi sur les services correctionnels et la mise en liberté sous condition et est à mettre à l'essai le Système de gestion des délinquants (SGD), soutenu par le Canada. Tout en étant optimiste que la Namibie parviendra à se doter d'un système de justice pénale conforme aux normes internationales établies par des organismes comme l'ONU, Winterdyk met en lumière bon nombre de contraintes :

- *l'absence d'un système de justice fonctionnel pour les mineurs et de lois connexes;*
- *certains enjeux de droits de la personne liés au surpeuplement des prisons;*
- *la violence envers les femmes et les enfants;*
- *les crimes passionnels;*
- *la discrimination raciale;*
- *la quantité limitée de données en matière de criminalité;*
- *des forces policières manquant de ressources et de formation, en plus d'être accablées par une approche de police paramilitaire.*

SAWBONNA

VICTIM VOICE(LESS), & THE THREE "R's"

BY MARGOT VAN SLUYTMAN, Poet, BA, MA, CSJA

I count the grains of sand
on the beach measure the sea;
I understand the speech
of the dumb hear the voiceless.
Herodotus

Earlier this year, shortly before Glen Flett and I gave our first Alberta talk invited by The Alberta Correctional Education Association, in the same conference in which, Dr. Gabor Mate, kindred, gave a stellar presentation, I was asked by a justice professional just exactly how I thought Sawbonna was going to make a difference in the justice system, and just exactly how many talks Glen and I would give before becoming bored and boring?

Needless to say, being rankled was one of the emotions stirred by these unnerving questions. Other stirred emotions included deep anger and immeasurable frustration. These emotions, however, became necessary mentors, as any deep emotions can, and I clung to them. I sat with those two questions which were posed to me with the bite of sarcasm, and a hint, of what felt to be a dismissal of our story, an attempt at diminishment of my voice, and a lack of understanding about what exactly Sawbonna is, and to and from what it speaks.

SAWBONNA, CONTRIBUTING TO A SHIFT IN THE JUSTICE-VICTIM PARADIGM

As a victim of crime who has shared powerful connecting and kinship with the man, Glen Flett, who murdered my Father, Theodore Van Sluytman, it did not take me long to realize that was being said to me in those two questions was that I had a role to play in, dare I say, a "passion" play, and that the moment I challenged that role, I was no longer acceptable within a particular paradigm of what justice is supposed to look like for the "victim."

WHAT IS WRONG WITH VICTIMS HAVING THEIR OWN VOICE?

Those two questions catapulted me into the realization that for some individuals as long as the "victim" is content to grieve or to speak about forgiveness if called upon, and to let particular experts and professionals speak for and to us, we are deemed safe, sensible, and worthy of "their" "respect," and if need be, their support. Our life sentence, their fodder for yet another paper and presentation on what "victims" need and how.

VICTIMS BRING A PARTICULAR PERSPECTIVE AND PERSONAL STORY TO THE LANGUAGE OF JUSTICE

Many victims of crime are not only versed in the language of justice: social, criminal, and restorative, but bring a particular perspective and personal story, which can expand and deepen the necessary discourses about why our current justice system continues to draw from retribution and revenge, failing to address how an adversarial (in)justice system serves few.

RESPECT, RESPONSIBILITY, AND RELATIONSHIP... THE THREE R'S OF SAWBONNA'S "I SEE YOU"!

As well, "victims" find it pressing to address the fact that those who work for justice in various occupations, groups, committees, and associations must never lose sight of the three "r's" of restorative justice (RJ) in kinship with Sawbonna. Those three "r's" being: respect, responsibility, and relationship. Those three "r's" are not simply to be engaged in between victims and offenders, as defined by the Criminal Code of Canada.

JUSTICE AS LIVED EXPERIENCE: THE SAWBONNA PROJECT

The lenses through which we peer into the vast and complex landscape of what justice as lived experience means, is one that invites us to include multiple voices in the many conversations about how we embody justice by our actions. If we hope to shift the justice culture we must challenge ourselves to choose to live the values of respect, responsibility, and relationship, even when we feel that our "expertise" is what those "victims" need from us.

A SAVAGE VENEER OF JUSTICE

Michel Foucault, in his book, Discipline and Punish: The Birth of the Prison, addresses how the carceral system not only keeps offenders at the mercy of those in power, but spreads its savage veneer of justice across society as a whole, whereby power and expertise are then reserved for a handful to mete out at will and whim. Might we not serve justice in our day and age by listening to each other with respect? By choosing to say a resounding "no" to the idea that justice is known and defined by only the chosen few?

SOCIAL, CRIMINAL AND RESTORATIVE JUSTICE... BECAUSE THE VOICES OF BOTH VICTIMS AND OFFENDERS ARE GENERALLY IGNORED

One of the most powerful gifts I received in sharing Sawbonna with Glen Flett, was that I learned how much victims and offenders have in common, with the most salient similarity: being ignored. That social, criminal, and restorative justice are invited to make room for many voices and to create the spaces for no more being ignored, is a reminder that the less exclusivity that contours the justice dialogue, the more likely we are to encourage broad engagement, which is fundamentally necessary for shaping the justice system. And without a doubt, "victim" voices, sculpted in restorative justice's three "r's" and Sawbonna's "I see you," can prove great sources of useful information, as we trust in engagement with the, too often, voiceless.••

NOTES

Donleavy, Pamela. Ann Shearer. From Ancient Myth to Modern Healing: Themis Goddess of Heart-Soul, *Justice and Reconciliation*. New York, NY: Routledge, 2008.

Foucault, Michel. *Discipline & Punish: The Birth of the Prison*. New York, NY: Vintage Books, 1977.

Williams, Melissa S. *Voices, Trust, and Memory: Marginalized Groups and the Failing of Liberal Representation*. Princeton, NY: Princeton University Press, 1998.

Young, I. M. "*Defining injustice as domination and oppression*," in M. D. A. Freeman (Ed.), Lloyd's introduction to jurisprudence, 2008. (8th ed., pp. 614–629).

Young, I. M. *Inclusion and Democracy*. Oxford: Oxford University Press, 2000.

Young, I. M. *Justice and the politics of difference*. Princeton, NJ: Princeton University Press, 1990.

Young, I. M. and Martha Nussbaum. *Responsibility and Justice*. Oxford: Oxford University Press, 2011.

RÉSUMÉ

L'un des cadeaux le plus valeureux qu'ait reçus l'auteure en partageant son projet de justice vivante, Sawbonna, avec l'homme qui avait tué son père a été de prendre conscience de tout ce que les victimes et les délinquants ont en commun, la caractéristique la plus saillante étant « le fait d'être ignorés ». Nous rappelant ici que la justice sociale, la justice criminelle et la justice réparatrice doivent permettre à de nombreuses voix de s'exprimer et favoriser un engagement très large, Van Sluytman souligne que moins il y aura d'exclusivité dans le dialogue de la justice, mieux ce sera : les voix des victimes, influencées par les trois « R » de la justice réparatrice et le « je te vois » de son propre Sawbonna, pourraient s'avérer des sources importantes d'information utile, si nous faisions confiance à notre implication auprès de celles et de ceux qui sont trop souvent sans voix.

DID YOU KNOW?

BY ANDRÉ NORMANDEAU

The Glascow Police Museum tells the "singular" history of the Anglo-Scottish-Irish police force. This history is important because it recalls the first "democratic" police force, e.g. 'modern' police or peace officers'. Prior to this, order had always been maintained by the Army. Patrick Colquhoun (1745-1820) is an extremely prominent character in this history, having founded the first "regular preventive police force", which was based on his theories of anarchy in the city. The other and most important character is ROBERT PEEL (1788-1850), UK Minister of Justice in the day. In 1928, Peel introduced the Act of Parliament that would lead to the enactment of the world's first democratic police force law. Peel subsequently served several different terms as Prime Minister. You will not be surprised to learn that PEEL Street in Montreal was named in his honour. His first name ROBERT (with its nickname BOB) gave rise to BOBBIES, the common name for UK police officers ever since.

LE SAVIEZ-VOUS?

PAR ANDRÉ NORMANDEAU

Une visite du Musée de la police à Glasgow nous permet de nous rappeler l'histoire «unique« de la police anglo-écossaise-irlandaise. Cette histoire est fort importante puisqu'il s'agissait alors de la première police dite «démocratique», en l'occurrence les policiers et les agents de la paix que nous connaissons aujourd'hui. Auparavant, c'était l'armée qui assurait l'ordre. Patrick Colquhoun (1745-1820) est un personnage fort important de cette histoire, ayant fondé la première force policière à caractère préventif, inspirée de ses théories de l'anarchie dans la ville. Un autre personnage très important a été ROBERT PEEL (1788-1850), ministre de la Justice de la Grande-Bretagne de l'époque. Il fit voter en 1829, par le Parlement britannique une loi qui allait donner lieu à la «première loi de police démocratique» au monde. Subséquemment, il devint premier ministre à plusieurs reprises. Vous ne serez pas surpris d'apprendre que la rue PEEL à Montréal a été nommée en son honneur. Comme il s'appelait ROBERT, familièrement BOB, les policiers anglais ont depuis pris le nom commun de BOBBIES.

JUSTICE
ACTUALITÉS REPORT

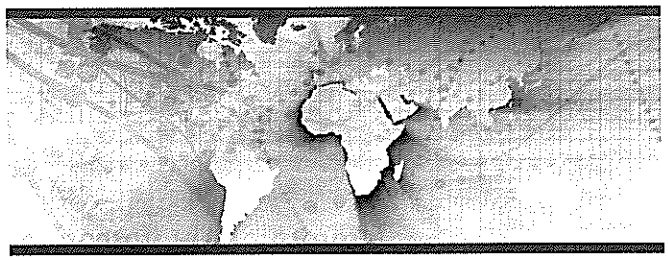
INTERNATIONAL ISSUE – WINTER 2014

CALL FOR ARTICLES

Coming up in early 2014, December 30 deadline, the CCJA *Justice Report* will be giving voice to a number of justice students and professionals from countries around the world. The articles on pages 19 and 30 are a prelude to this. The CCJA wishes to thank comparative criminologist Dr. John Winterdyk for his expertise, time and assistance in this present issue and for agreeing to be the guest editor of the International issue. Enjoy your read!

The Spring 2014, February 15 deadline, issue will focus on youth justice. All articles submitted by members will be considered for publication.

Please do not hesitate to contact Nancy Wright at the CCJA with any questions or comments. Articles on other themes will be saved for future issues.



NUMÉRO INTERNATIONAL – HIVER 2014

ARTICLES DEMANDÉS

Bientôt, au début de 2014, *Actualités-Justice* permettra à des étudiants et des professionnels de partout dans le monde de s'exprimer; la date limite pour soumettre un texte a été fixée au 30 décembre 2013. Les articles en page 19 et 30 constituent un prélude à ce numéro international. L'ACJP tient à remercier John Winterdyk, PH.D., spécialisé en criminologie comparée, pour son expertise, son temps et son aide à la préparation, et pour avoir accepté le rôle de rédacteur invité du numéro international. Bonne lecture!

Le numéro du printemps 2014, dont la date limite pour soumettre un article est le 25 février 2014, portera sur la justice des mineurs. Tous les articles proposés par nos membres seront pris en considération à des fins de publication.

N'hésitez pas à communiquer avec Nancy Wright aux bureaux de l'ACJP si vous avez des questions ou commentaires. Les articles portant sur d'autres thèmes seront conservés pour des numéros subséquents.

COMMUNITY POLICING & RESTORATIVE JUSTICE: EXPLORING COMMON THEMES AND VALUES

BY MUHAMMAD ASADULLAH,
Graduate Student, School of Criminology, Simon Fraser University (SFU), Canada

Crime, though a problem in almost every community, is also a property of the community (Christie, 1977); as such, involving the community to resolve it is a significant feature of community policing. Community Policing (CP) – aka Community Oriented Policing (COP) or Problem Oriented Policing (POP) – is a philosophy centered on building relationships, increasing trust and creating a sense of partnership between community members and police. The Office of Community Oriented Policing Services defines CP as "a policing philosophy designed to reduce crime and disorder in communities by fostering trust, respect, and collaboration between police officers and citizens" (Nicholl, 1999, p. 24). The goal is for people and police to collectively identify problems and collaboratively try to resolve issues related to crimes, alcohol, family disputes, neighborhood disturbance etc. (Nicholl, 1999; Weitekamp, Kerner, & Meier, 2003; Kappeler & Gaines, 2011). Such concepts recall those underlying another community-minded, proactive approach to the impact of crime on the community, Restorative Justice (RJ). A comparison of these two approaches evokes a number of similarities and differences that bear further exploration.

The idea of CP is not a recent innovation. The father of modern policing, Sir Robert Peel, former Home Secretary of the United Kingdom, laid the foundation of CP in the 1830's when he said, "the police are the public and the public are the police" (McNeeley, 2006, p. 01; Normandeau, 1993, p. 59).

In the United States, the idea of a community-centric approach to policing originates from Arthur Woods, who served as New York's Police Chief from 1914 to 1919. Recognizing the growing dissatisfaction with policing, and the people's mistrust towards police, Woods emphasized programs that would help restore the lost dignity and respect of the police force in the community. He encouraged his fellow officers to extend their support to the vulnerable members of the community, the underprivileged and the immigrants, by helping them find jobs and arrange for other social services (Thayer & Reynolds, 1997). Based on the principle laid down by Sir Robert Peel, Herman Goldstein advanced the concept of CP or POP in the 1980s particularly in the context of USA (Oliver, 2000; Weitekamp, Kerner, & Meier, 2003).

In Canada, criminologist André Normandeau significantly contributed to the expansion of the concept of CP. He outlined the role of police officers in CP as "peace officers", who formulated policies in "systemic consultation with community" and behaved "proactively" (Normandeau, 1993, p. 58). Given the divergence of the new forms of policing from Sir Robert Peel's original vision, this community-based approach towards policing is "more correctly a renewal or re-emergence of the old approach" (Normandeau & Leighton, 1990, p. 43).

At its core, CP is a proactive approach to dealing with crime and crime prevention, while building a "harmonious relationship" between law enforcement agencies and community members (Dobrin, 2006, p. 27). Its forward-looking philosophy accepts the role of all stakeholders in the community. Rather than playing the role of bystanders, CP encourages citizens from all walks of life to participate in dealing with crimes and other similar societal concerns. Public-police partnership, the essence of CP, also strengthens "participatory democracy" by which every citizen plays an equally important role and contributes to shaping community growth and development (Nicholl, 1999, p. 23). In fact, CP has been called "democracy in action" because the very idea of community policing demands mutual partnerships and active engagement of all stakeholders including citizens, local government, community, business and religious leaders, teachers, students and all other professionals (Oliver, 2000, p. 119).

COMPARATIVE ANALYSIS:

A structured comparison between traditional forms of policing and the community-centric approach to policing makes the differences easiest to grasp. One such comparison is shown in the grid below (Table: Modified from Dobrin (2006) and Shahjahan (2007)):

ISSUES	TRADITIONAL POLICE	COMMUNITY POLICE
DEFINITION OF POLICE	A government agency responsible for law enforcement	Police are the public and the public are the police
APPROACH	Reactive	Proactive or forward-looking
EFFICIENCY PROCESS MEASUREMENT STANDARD?	By detection of crime and arrest rate	By the absence of crime and citizen participation
FOCUS OF POLICE	Law enforcement and punishment	Community building
SCOPE OF POLICING	Narrow: crime focused	Broad: crime, order, fear, and quality-of-life focused
COMMUNITY INVOLVEMENT	Low and passive	High and active
PRIORITIES	Crimes and criminals	The problems that disturb the community most
PROCESS OF ENGAGEMENT	Swift and effective response to serious crime	Maintaining close relations with community
SUCCESS CRITERIA	Arrests, crime rates	Public cooperation, increasing the trust people have in police, fear reduction
GOVERNANCE STRUCTURE	Highly centralized; governed by rules, regulations and policy directives; accountable to law	Emphasis on local accountability and local participation
VIEWS ON PROSECUTION	As an important tool	As one tool among many

CP AROUND THE WORLD

Unfortunately, over the decades, the growth of extreme professionalism, standardization and government control has gradually disconnected the police from the public. As a result of the "failure" of traditional models of policing to address crime and societal concerns, the concept of CP has emerged not only in the Western nations, like the UK, USA and Canada, but also in many other parts of the world (Wilson, 2006, p. 7). Many communities in both the West and the East welcome and incorporate this CP philosophy into their justice systems; suitable examples include the First Nation people in Canada and the indigenous people in Bangladesh. Furthermore, globalization, the Internet and Information Technology have also motivated the transformation of the nature of policing all over the world (Strobl, 2011).

CASE STUDIES FROM THREE PARTS OF THE WORLD HELP ILLUSTRATE THE WIDESPREAD USE OF CP

BANGLADESH: The history of policing in Bangladesh predates the introduction of modern policing by hundreds of years. The PANCHAET system, a form of community-based informal policing and social control, has been practiced in this region for centuries. In recent times though, like their counterparts in many developing nations, the Bangladeshi police have developed a dark reputation for corruption, nepotism, political affiliation, bribery and bureaucratic inefficiency (Global Integrity, 2010; Freedom House, 2011; Wickberg, 2012). This may explain why a survey conducted by Kashem (2006) in Bangladesh found that a massive 80% of respondents had no confidence in traditional policing. Unfortunately, very few initiatives have been taken to advance the development of policing; consequently, the disconnection between police and community has widened considerably. In response to these circumstances, the Police Department of Bangladesh introduced CP in three districts – Mymensingh, Jamalpur, and Chandpur – in December, 2000.

The goals of CP in Bangladesh are to: (i) minimize the gap between the citizens and the police; (ii) raise public awareness; (iii) keep the people from committing crime; (iv) build citizens' trust in the police; (v) rehabilitate criminals; and, (vi) strengthen the rule of law and establish good governance (Bangladesh Police, 2008). A great feature of CP in Bangladesh is that along with the Bangladesh Police, INGOs, particularly the Asia Foundation, United Nations Development Program (UNDP), GIZ and Community-Based Organizations (CBOs), such as *Banchte Shekha*, Madaripur Legal Aid Association, and Light House, are all playing an instrumental role in promoting and implementing the idea of community policing (The Asia Foundation, 2007).

UNITED ARAB EMIRATES (UAE): Kingdom of Bahrain was the first Arab country in the Middle East to adopt CP (Strobl, 2011). After Bahrain and Algeria, the UAE introduced CP in Abu Dhabi in 2003. The aims of CP in Abu Dhabi are to offer an alternative to traditional policing, build safe and secure neighbourhoods, develop a sense of shared responsibility among citizens and police, and prevent crime by creating a safe space for all members of the community (Abu Dhabi Government, 2013). Since 2003, CP has made a significant impact in various communities in Abu Dhabi. Its success in Abu Dhabi inspired the UAE government to introduce it in Dubai, Fujairah and Ajman in 2009. A unique feature of the community policing programs in the UAE is the awareness program. Community police officers engage with students in schools and colleges and encourage them to participate in community events, summer programs and extracurricular activities. Educating citizens about CP through visiting hospitals and labour camps, and distributing gifts during holidays is also practiced by the community police officers in the UAE (Abu Dhabi Government, 2013).

SOUTH AFRICA: A historical and deep-rooted animosity between the police and the public in South Africa festered under the apartheid regime. Before democratization in 1994, the South African police were described as an authoritarian

force with "total lack of trust" from the community, and totally disconnected from them as well (Minnaar, 2005). Focusing on accountability and local cooperation, the 1991 National Peace Accord outlined the CP vision for South Africa (Brogden, 2002), however, it was formally introduced in 1995 as "Community Police Forums". Chapter seven of the *Police Service Act* outlined the aims of the Community Policing Forum – to establish and maintain *partnership, strengthen communication, to promote cooperation, improve accountability,* and foster a *problem-solving* approach (*South African Police Service Act,* 1995). In 1997, the *Community Policing Policy Framework and Guidelines* (CPPFG) was released, describing the concept in details. Echoing the Police Service Act of 1995, the CPPFG emphasised themes of service orientation, partnerships, problem solving, empowerment and accountability for CP in South Africa (Minnaar, 2005).

There are debates about the success and effectiveness of CP in South Africa. Brogdan accused it of being an "imported" and "sold" concept from the colonial police force (Brogden, 2002), while Burger termed it an outright "failed strategy" (Minnaar, 2005). Despite these major criticisms on the relevancy and contextually appropriate implementation mechanisms of CP, the South African government deployed a significant level of resources into enacting various laws in the parliament vis-a-vis CP, which is indicative of the faith they put in its philosophies.

The reason such faith in CP is exhibited across the world may lie in commonalities with restorative justice (RJ), which is fast gaining prominence as an effective branch of the justice systems of many countries.

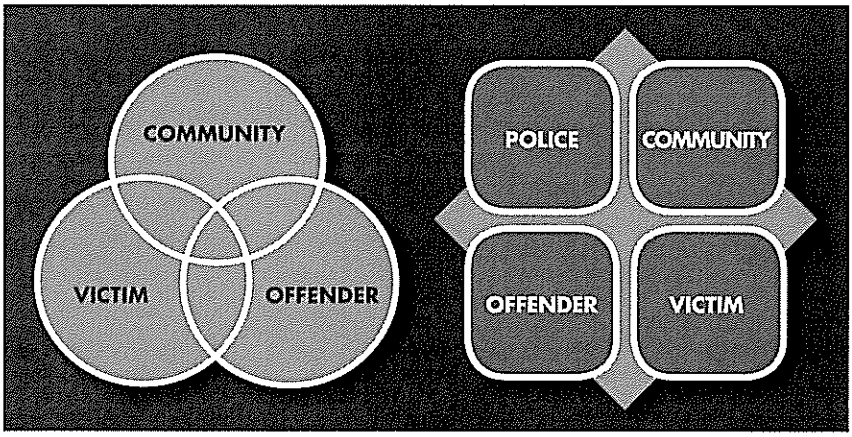
COMMON THEMES AND VALUES: CP AND RJ:

Both CP and RJ offer alternatives to traditional ways of delivering justice. Watson termed these two approaches as "add-ons or alternatives" to more traditional policing approaches (Watson, 2009).

There are commonalties and differences in both of these approaches. Like RJ, CP also encourages community-based, bottom-up solutions. "Community policing and restorative justice share the common characteristics of local action, local solutions, community standard and local control, but importantly they seek to solve the problems by preventing, reforming and dealing with each individual and each problem as unique" (William Parks, 2000).

It is noteworthy, however, that mechanisms of implementation for RJ and CP vary from context to context. In Bangladesh, CP is mostly implemented by INGOs and CBOs, whereas in the United Arab Emirates it is fully centralized and implemented by government. The practice of restorative justice also varies from community to community. Furthermore, CP traditionally functions through law enforcement agencies, while most RJ programs operate through community-based organizations.

In addition, while the RJ model involves victim, offender and community, the CP model comprises police, victim, offender, and community. Based on the Bazemore & Umbreit (1994) model, Brown and Polk (1996) developed the following RJ model and Weitekamp, Kerner, & Meier later modified it in the context of CP (Weitekamp, Kerner, & Meier, 2003, p. 319).



A final point of interesting difference is that RJ focuses more on individual healing and repairing relationships first, whereas community policing focuses more on community building and therefore starts with the society. So, RJ starts with the individual and CP starts with the community (Kurki, 2000).

COMMON THEMES

The common themes of CP and RJ are partnership, community solution, mutual respect and relationships, and shared responsibility. The core values that guide and unite the practices of CP and RJ include, but are not limited to, respect, trust, cooperation, responsibility, interconnectedness, communication, determination, ingenuity, integrity, creativity, discretion, leadership, relationships, regard for individual rights without condescension and a broadened commitment to public safety and security (Normandeau, 1993; Oliver, 2000; Zehr, 2002; Morrison, 2006; Pranis, 2007). Zehr (2002) particularly emphasized three core values of what he calls the three R's of Restorative Justice: Respect, Responsibility and Relationship.

THE THREE R's IN A CONTEXT OF CP

Respect is a widely accepted value in the field of restorative justice. In fact, respect for victim, offender and community is one of the most articulated values of restorative justice (Zehr, 2002; Morrison, 2006; Pranis, 2007). In CP, mutual respect is also instrumental in creating confidence and trust between police and community members (Nicholl, 1999). Without respect for all stakeholders, justice cannot be restorative (Zehr, 2002). Restoring the respect, confidence and dignity between

the police service and the people is one of the cornerstones of CP in Bangladesh, United Arab Emirates, and South Africa. Mutual respect sets the foundation for interaction and building working relations between the police and the community in these countries. The bottom-up approach of CP offers a process of respectful dialogue and partnership that empowers citizens and results in increasing levels of trust and confidence in the police service and vice versa.

Responsibility must be taken by offenders and the community for the harms committed, and this is an important feature of RJ. Crime and wrongdoing creates the obligation of responsibility and accountability not only for offenders but also for community (Zehr, 2002). In the context of CP, people rising up to the responsibility of dealing with crime, drugs, social disorders and other issues in the community ultimately strengthens "democracy" in our society (Nicholl, 1999). Nicholl (1999) is convinced that crime prevention cannot be a "monopoly" of police and law enforcement agencies. The burden of responsibility to maintain safety and security goes beyond the police, justice department and correction office. She refers to the USA's 1967 Presidential Commission on *Law Enforcement and Administration of Justice report*, which also rejects police having sole responsibility for maintaining law and order. This report states that "individual citizens, civic and business organizations, religious institutions, and all levels of government must take responsibility" (Nicholl, 1999, p. 13), but with the consideration that every community, particularly a dysfunctional one, may not have the skills and motivations to take responsibility for maintaining social order (Nicholl, 1999).

Relationship in RJ focuses on repairing broken relationships among victims, offenders and community. Morrison (2006, p. 373) explains the concept cogently by saying that RJ "empowers individuals and communities through building healthy relationships, where fellow citizens support each other while holding each other accountable for behavior". In the context of CP, the term "relationships" denotes a "warm and congenial relationship" between public and police. A strong public-police relationship helps build a healthy partnership (McNeeley, 2006). CP is more than a tactic to solve a particular problem, but rather encourages a shift of perception and thinking in how police view their role in and relationship with the community. CP posits people as partners and establishes a new relationship based on mutual trust and shared power (Kappeler & Gaines, 2011). After all, mutual relationship transforms public-police relationship into a "partnership rather than only a service provider-client relationship" (Nicholl (1999, p. 51).

CONCLUDING REMARKS

Community Policing is not a medicine for all social diseases, but it is certainly one that offers many tools and strategies to prevent crime, fear of crime, and other related concerns in societies. However, in the absence of a community-oriented approach adapted by the justice system and correction department, the holistic results of community policing will be unattainable. All stakeholders in the community must work hand-in-hand to restore the dignity, respect and integrity of the police and turn them into true friends of the public. Only then can the true essence of what Sir Robert Peel called "the public are the police" be achieved.

RÉSUMÉ

Comme le suggère le titre de cet article, Muhammad Asadullah, un étudiant de deuxième cycle à l'Université Simon-Fraser, se penche sur la police communautaire en examinant les thèmes et valeurs qui ont orienté ses pratiques, de même que les similitudes qu'elle présente avec la justice réparatrice. Voulant démontrer l'attention répandue que reçoit cette approche dans le monde, l'auteur présente des résultats de recherche en provenance du Canada, des États-Unis et d'ailleurs ainsi que des études de cas provenant du Bangladesh, des Émirats arabes unis et de l'Afrique du Sud. Cet article intéressant examine la justice réparatrice sous tous ses aspects en tant qu'approche contribuant à établir des relations, à accroître le niveau de confiance, de même qu'à (re)créer un sentiment qu'il existe un partenariat entre la collectivité et la police. Il attire aussi l'attention sur le fait que l'intérêt suscité par l'approche de la justice réparatrice dans plusieurs des régions du monde, hier et aujourd'hui, est attribuable à l'échec relatif des modèles traditionnels de police au chapitre de la lutte à la criminalité et des préoccupations sociétales.

REFERENCES

Act, South Africa. (1995). 1995 *Acts*. Retrieved from http://www.gov.za; http://www.info.gov.za/view/DownloadFileAction?id=70987

Bangladesh Police. (2008). *COMMUNITY POLICING: NATIONAL STRATEGY FOR BANGLADESH*. Retrieved from www.undp.org.bd; http://www.undp.org.bd/projects/prodocs/PRP/Community%20Policing%20%20Strategy.pdf

Brogden, M. (2002). IMPLANTING COMMUNITY POLICING IN SOUTH AFRICA: A FAILURE OF HISTORY, OF CONTEXT, AND OF THEORY. *Liverpool Law Review*, 157–179.

Brown, M., & Polk, K. (1996). Taking fear of crime seriously: The Tasmanian approach to community crime prevention. *Crime & Delinquency*, 398-420.

Christie, N. (1977). Conflicts as property. *The British Journal of Criminology*, 1-15.

Dobrin, A. (2006). Professional and community orientated policing: The Mayberry Model. *Journal of Criminal Justice and Popular Culture*, 19-28.

Freedom House. (2011). *Countries at the crossroads*. Retrieved from http://www.freedomhouse.org; http://www.freedomhouse.org/report/countries-crossroads/2011/bangladesh

Government, Abu Dhabi. (2013). *Abu Dhabi community police*. Retrieved from www.abudhabi.ae; https://www.abudhabi.ae/egovPoolPortal_WAR/appmanager/ADeGP/Citizen?_nfpb=true&_pageLabel=p_citizen_homepage_hidenav&lang=en&did=284228

Integrity, G. (2010). *GLOBAL INTEGRITY REPORT: BANGLADESH - 2010.* Retrieved from www.globalintegrity.or: http://www.globalintegrity.org/report/Bangladesh/2010/

Kappeler, V. E., & Gaines, L. K. (2011). *Community policing: A contemporary perspective.* Waltham, Massachusetts: Anderson Publishing.

Kashem, M. B. (2006). Bangladesh. In D. K. Das, & M. J. Palmiotto, *World Police Encyclopedia* (pp. 68-73). New York: Routledge Taylor & Francis Group.

Kurki, L. (2000). Restorative and community justice in the United States. *Crime and Justice*, 235-303.

McNeeley, C. (2006). *Community policing: Building inclusive communities.* United States of America: Lamar Publishing.

Minnaar, A. (2005). Community policing in a high crime transitional state: The case of South Africa since democratization in 1994. In D. Wisler, & I. D. Onwudiwe, *Community Policing: International Patterns and Comparative Perspectives* (pp. 19-56). Boca Raton; London; New York: CRC Press.

Morrison, B. (2006). School bullying and restorative justice: Toward a theoretical understanding of the role of respect, pride, and shame. *Journal of Social Issues*, 371--392.

Nicholl, C. G. (1999). *Community policing, community justice, and restorative justice: Exploring the links for the delivery of a balanced approach to public safety & toolbox for implementing restorative justice and advancing community policing.* Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services.

Normandeau, A., & Leighton, B. (1990). *A vision of the future of policing in Canada: Policing-challange 2000.* Ottawa: Police and Security Branch, Ministry Secretariat, Solicitor General Canada.

Normandeau, A. (1993). Community policing in Canada: A review of some recent studies. *American Journal of Police, 57–74.*

Oliver, W. M. (2000). *Community policing: Classical reading.* New Jersey: Prentice-Hall, Inc.

Owusu-Bempah, A. (2010, 4). *Community Policing Strategies.* Retrieved from http://www.children.gov.on.ca/: http://www.children.gov.on.ca/htdocs/English/topics/youthandthelaw/roots/volume5/preventing03_community_policing.aspx

Parks, W. (2000, 08 12). *Community Policing a Foundation for Restorative Justice.* Retrieved from http://www.iirp.edu/: http://www.iirp.edu/article_detail.php?article_id=NDc3

Pranis, K. (2007). Restorative values. In G. Johnstone, & D. W. Van Ness, *Handbook of restorative justice (pp. 59-74). Portland: Willian Publishing.*

Shahjahan, A. S. (2007). *Police reforms in Bangladesh: Strengthening criminal justice system.* Dhaka.

Strobl, S. (2011). From colonial policing to community policing in Bahrain: The historical persistence of sectarianism. *International Journal of Comparative and Applied Criminal Justice*, 19–37.

Thayer, R. E., & Reynolds, M. K. (1997). Community oriented policing. *Journal of Planning Literature*, 93-105.

Watson, J. (2009). Restorative justice- policing opportunities. *Journal of Police Studies*, 219-226.

Weitekamp, E. G., Kerner, H.-J., & Meier, U. (2003). Community and problem-oriented policing in the context of restorative justice. In E. G. Weitekamp, & H.-J. Kerner, *Restorative justice in context: International practice and directions* (pp. 304-325). Portland: Willan Publishing.

Wickberg, S. (2012, 11 7). *Overview of corruption and anti-corruption in Bangladesh.* Retrieved from www.U4.no: http://www.u4.no/publications/overview-of-corruption-and-anti-corruption-in-bangladesh/downloadasset/2991.Wilson, J. M. (2006). Community policing in America. New York: Routledge Taylor & Francis Group.

Zehr, H. (2002). *The little book of restorative justice.* Pennsylvania: Good Books.

PRELUDE TO INTERNATIONAL ISSUE

POLICE GOVERNANCE IN NAMIBIA: OPPORTUNITIES AND CHALLENGES

BY TUHAFENI HELAO,
Department of Criminal Justice and Legal Studies, Polytechnic of Namibia (Namibia University of Science and Technology)

The general protection of society and/or maintenance of safety and order has been a long-standing responsibility of law enforcement agencies; however, what constitutes law enforcement has changed over the centuries. For example, in Namibia, the author reckons that policing or the responsibility for maintaining law and order can be traced back to time immemorial when traditional chiefs and kings held total authority over their subjects. Formal policing only started in 1884 when the territory (now Namibia) was declared a German Protectorate. At that time policing was not well organised to deal with human rights issues; rather, it dealt with aspects of cattle branding and controlling animal diseases. As a matter of fact, the police were mainly used to protect the interests of German rule.

In 1920 the territory became a mandated territory of the then-Apartheid South Africa vis-a-vis the Peace Treaty of Versailles. As such, South African Apartheid and discrimination laws also became applicable to South West Africa Territory. This continued until 1990 when Namibia gained independence via adoption of United Nations Resolution 435.

With the inception of independence in 1990 and the achievement of sovereignty and self-determination, the *Constitution of the Republic of Namibia* was adopted and became supreme law in the country. Chapter 15, Article 118 of that Constitution includes a provision for the establishment of the [democratic] Namibian Police Force, and states the following: "[t]here shall be established by Act of Parliament a Namibian police force with prescribed powers, duties and procedures in order to secure the internal security of Namibia and to maintain law and order". Despite police powers, duties and procedures provided under the above-mentioned Article118, Chapter 3 (which cannot be amended) of the same Constitution provides for "fundamental human rights and freedoms" that must be respected and observed by all public and private institutions as well as by individual persons. In fact, this forms the basis of policing and police governance in Namibia.

Drawing attention to police governance in Namibia and how it has evolved since the country gained independence, this article also examines possible current opportunities by which the Namibian police could improve policing and reveals certain governance challenges they face in addressing contemporary policing issues.

POLICE GOVERNANCE IN NAMIBIA

In Namibia, policing is premised on the rule of law and respect of human rights and dignity. Throughout the post World War II era, various policing strategies have been introduced to replace or at least supplement 'conventional' policing strategies. Certain core functions, however, will always have to be taken care of by the police – regardless of the current fashion of policing. These include maintaining law and order, and investigating crimes – fairly standard functions of most policing jurisdictions.

The Namibia Police Force is a product of a protracted struggle for independence that lasted more than a century, from the arrival of the Germans in the 1880s (the German Schutztruppe) through the South West Africa occupation by the South Africa Apartheid regime in the early 1900s (South African Police), to the formation of the South West African Police (SWAPOL) in the 1980s. Under this former regime, the police were used as a formal mechanism to protect the interest of the state "against its own people". There are numerous historical examples of police disregard for human rights, such as with people who acted contrary to state orders being tortured and maimed by police officials.

Current policing in Namibia is overshadowed by the above-mentioned oppression and control, the legacy of a dark history of pre-independence policing that has left unhealed wounds in the Namibian peoples' collective consciousness. As a result, almost 24 years after gaining independence, the police continue to struggle to win the trust of most citizens in the country.

As mentioned earlier, the Constitution was adopted in 1990 and the *Namibian Police Act* 19 of 1990 was subsequently promulgated. This led to the formation of a democratic police service, the Namibian Police Force (NAMPOL). Section 13 of the *Namibian Police Act*, as amended, spells out the following five core functions and duties of the police:

- Preservation of internal security;
- Maintenance of law and order;
- Investigation of any offence or alleged offence;
- Prevention of crime; and,
- Protection of life and property.

Due to the democratic nature of the state, policing in Namibia had to be reformed to meet the democratic principles and values that guide humanity. By and large, Namibian police are obliged to respect all laws in the country and act within the ambit of such laws. For that reason, it was obligatory to put in place good policing governance strategies to regulate policing and by extension guide the conducts of police officials. In other words, fitting governance practices were adopted and applied to ensure an inclusive maintenance of law and order. As Amir and Einstein (2010:9) confirm, governance of policing in a democracy is subject to a rule of law embodying values and respect of human dignity, rather than the wishes of a powerful leader or party that police should intervene in the life of citizens only under limited and carefully controlled circumstances, and that police must always be accountable for their actions.

It is generally acknowledged that regardless of their origins, their historic development, the level of political pressures they are exposed to their role in society, or their strategies and styles, all police forces are also organizations (Jachke, Bjorgo, del Barrio Romero et al, 2007). In essence, this implies that the police must have in place proper structures and a well-balanced staff. In other words, there must be well-organised administrative operational strategies to support police core duties and functions. These functions require legitimate governance structures and well-oiled, well-organized governance practices.

Namibia is a country with considerable cultural diversity, thereby calling absolutely for knowledge-based policing to serve people from different cultural backgrounds. The fact that the state is the main bearer of policing creates strategic advantages for the state to introduce and apply policing initiatives. One of these initiatives was the establishment of the Windhoek Municipal Police (WMP). This was done in accordance with Section 42 of the Police Act 1990 read together with Regulation 2 and 10 of the Windhoek Municipal Police Services. The WMP became the bearer of newly emerging policing strategies in Namibia, such as community-based policing and problem-solving policing. These strategies take into account that policing is a 'societal responsibility' – as opposed to the traditional belief in policing as a state responsibility.

ACCOUNTABILITY IN POLICE GOVERNANCE

By extension, the Namibian police can only manage and succeed in their crime-prevention efforts provided they have the support and active participation of the majority of community members. Such support incarnates the essence of 'policing governance'. Generally, police governance can be described as any organized activity aimed at ensuring the maintenance of communal order, security, as well as investigation of breaches and [sometimes] punishment. Hence, police governance involves comprehending the functioning of one or more aspects of accountability. According to Amir and Einstein (2011:9), there are conditions inherent to good governance of policing in a democracy. These conditions include, subjection to the rule of law embodying values respectful of human dignity, rather than the wishes of a powerful leader or party, and secondly, intervention in the life of the citizens only under limited and carefully controlled circumstances. More significantly though, Amir and Einstein emphasize that the police must be accountable to society. The question, however, is to what extent can and will the Namibian police be able to actualize these fundamental elements of sound police governance.

OPPORTUNITIES

The ascension to democratic policing presents an opportunity for police reform. Two warring sides (People Liberation Army of Namibia [PLAN], and the South West Africa Police [SWAPOL]) were reconciled and integrated into one police force in 1990 – the Namibian Police Force. This was regarded as a milestone in Namibia policing history.

Similarly, observance of the Constitution and the *Namibian Police Act* makes governance of policing relevant to democratic values. It enables the Namibian police to work together with the community and to foster collaboration with policing organizations around the world. It even encourages private policing to prosper. These trends emerged immediately after independence and have tremendous implications for the positive evolution of policing practices in the country.

It must be mentioned that Namibia was the last colony in Africa to become independent. As such, police administrators have seen and learned from various policing experiences in Africa as well those of other countries around the world. First, the impact of globalization on policing calls for new strategies that would effectively position the Namibian police to deal with emerging policing technology. Even though some scholars have argued that new technology can and has complicated the police work environment by providing new opportunities and strategies for crime and criminals, its evolution and entrenchment is inevitable. Therefore, by extension, this means that the Namibian police should seize the opportunity to benchmark themselves regionally and internationally so as to be in a better position to adopt strategies that are relevant to the specific policing environment in the country.

Secondly, democratic governance of policing calls for knowledge-based policing. This means Namibian police officials should be well-trained in all areas of policing. This includes knowledge of policing technology and emerging policing methods. In essence, police officials should be thoroughly prepared to counter any ill-conceived actions that can harm the society.

Finally, as mentioned earlier, adherence to the Constitution and other legitimate laws provides an opportunity the Namibian police to respect the rule of law, thus promoting better cooperation between them and those being policed.

With respect to the above commentary, it is important that the Namibian police force remain cognizant that the state, civil society and the entire policing community share an equal responsibility as regards effective and efficient police governance in Namibia.

CHALLENGES

Namibia is a vast country with a small population (approx. 2.1 million) and limited resources. These factors make providing effective and efficient governance of policing and security quite a challenge. In broader terms, Namibian police governance calls for policing practices that are acceptable both locally and nationally and which are also generally consistent with international practices.

Notwithstanding the notable advances in Namibia policing, it still needs to position itself so as to ensure the maintenance of law and order without any disruption. If the public interests of justice, equality of protection, and quality of service are not maintained, the police in Namibia will likely continue to be shrouded in suspicion and subject to poor management. In fact, management plays a critical role in this regard, and the following are but some of the challenges facing police governance in Namibia:

- Invent acceptable policing governance practices to allow police officers to perform their duty without necessarily violating the human rights of Namibian citizens.
- Position the Namibian police organization to earn the undivided trust and confidence of the community.
- Ensure that Namibian police officers develop the skills and competences necessary to understand, interpret and apply contemporary policing strategies.
- Build Namibian police capacity to address contemporary global policing issues and at the same time embrace and adapt to newly emerging police technologies.
- Develop a police-management team that could embrace change in policing practices without necessarily compromising police image and professionalism during a transitory interim.
- Create a Namibian police network locally, regionally and internationally.
- Craft policy document as a guide to emerging policing methods; for example, community policing and problem-solving policing.
- Finally, prudently use and manage Namibian police resources: as Murphy and McKenna (2007:32) observe, the major challenge is to manage policing costs by limiting police growth, despite public demand.

CONCLUSION

Policing governance in Namibia has evolved over the past 23 years. Respect of rule of law and human rights has become the fundamental cornerstone of policing in the country. Emerged policing approaches have been adopted and to a certain extent contributed to successful policing. Community policing, though still lacking clear policy directives, forms the core value of policing in the country.

Despite numerous successes in many areas of police governance and security by the Namibian Police, there is still a need and opportunity for continuing learning and a refining of policing strategies and approaches. Notwithstanding the above, the Namibian police force still faces various challenges that must be overcome in order to actualize their constitutional responsibility. Even though Namibia is still a developing country, with internal and international support and evidence-based knowledge, Namibia has the potential to have one of the leading police forces in the sub-Sahara region. ••

REFERENCES

Amir, M. & Einstein, S. 2013. Policing, Security and Democracy: Theory and Practice Retrieved from Web.mit.edu/gtmarx.www/dempol.html 25 June, 2013.

Jachke, H.G., Bjørgo, T., del Barrio Romero, F., Kwanten, C., Mawby, R., & Pagon, M. 2007 *Perspective of Police Science in Europe: Project Group on a European Approach to Police Science*. Final Report. Bramshill: European Police College.

Republic of Namibia 1990. *Constitution of the Republic of Namibia*. Ministry of Justice: Government Printers.

RÉSUMÉ

Dans son article traitant des enjeux policiers contemporains en Namibie, Tuhafeni Heloo situe les défis actuels dans le cadre de l'héritage autoritaire du passé et examine les possibilités qui s'offrent aujourd'hui dans le contexte de la souveraineté (démocratique) et l'autodétermination rendues possibles par l'indépendance acquise en 1990. La « loi constitutionnelle et la loi sur la police de la Namibie » ont établi la primauté du droit et les droits de la personne comme pierres angulaires des services policiers et les nouvelles approches de police ont contribué dans une certaine mesure à l'efficacité des forces de l'ordre. Bien qu'elle souffre d'un manque d'orientations politiques claires, l'approche de la police communautaire constitue une valeur fondamentale. Tout en constatant que la force policière de la Namibie est toujours confrontée à des obstacles qui devront être surmontés pour donner forme à la responsabilité constitutionnelle, l'auteur se dit confiant que la Namibie, un pays dont l'existence remonte à 23 ans à peine, peut présenter une force policière de premier plan dans la région subsaharienne.

UNE VISION RÉDUCTRICE ET UNE PERCEPTION NÉGATIVE DU TRAVAIL DES POLICIERS ONT-ELLES CONTRIBUÉ À L'ACCROISSEMENT DE LA SURVEILLANCE DITE PRIVÉE?

PAR JOANIE LAGANIÈRE,

Université Laval (Québec)
Maîtrise sur mesure en politiques pénales et pratiques pénitentiaires

LES POLICIERS, UN SIMPLE AGENT COERCITIF?

Le travail des policiers

Depuis le début des recherches empiriques sur les policiers, deux constats ont été mis en lumière, soit le fait que leur travail semble aller de connivence avec la violence et la coercition dues au mandat de répression de la criminalité qui leur est confié, mais également le fait qu'ils ont aussi le mandat de maintenir l'ordre social (Brodeur, 2003). Le personnel d'un corps de police est majoritairement composé de policiers en uniformes qui patrouillent, mais il ne faut pas perdre de vue que plusieurs autres agents de la sécurité publique, tels que des enquêteurs et des agents de renseignements, font également partie de la police (Brodeur, 2003). Ainsi, les policiers ont une diversité saisissante de tâches qui leur sont attribuées. Citons à titre d'exemples, outre les tâches susmentionnées, résoudre les crimes, répondre aux urgences, aider les victimes d'actes criminels, faire de la sensibilisation et de la prévention (Statistique Canada (a), 2013) et parfois même, un corps de police peut assumer des tâches telles que le service d'incendie lorsque celui-ci se situe dans un milieu rural (Brodeur, 2003).

Les policiers au-dessus des lois?

Ce qui distinguerait la police des autres appareils d'État et qui est maintenant devenu un truisme peu remis en cause est le fait que les policiers ont le pouvoir légal d'avoir recours à la violence dans le cadre de leurs fonctions (Brodeur, 2003). En fait, tel que Black (1980) l'a mentionné, la police n'a pas besoin de se mettre au-dessus des lois, car

les lois lui sont d'emblée favorables. Quoi qu'il en soit, il importe de comprendre qu'il existe en réalité d'autres fonctionnaires et d'autres individus qui sont autorisés à utiliser la coercition sur autrui, tels que les gardiens de prison, ceux qui travaillent dans le domaine médical, ceux qui font des combats de boxe[1] et même les parents[2].

Être policier, un travail davantage réactif

Généralement, c'est une ressource extérieure qui fait appel aux policiers afin qu'ils interviennent dans une situation quelconque et dans cette optique, le travail des policiers est davantage réactif (Brodeur, 2003). Cependant, afin qu'ils puissent faire leur travail correctement, ceux-ci doivent avoir la confiance des citoyens, soit ceux qui feront appel à eux. En outre, les policiers doivent, d'une certaine façon, garder une image intimidante pour éviter d'être défiés, mais d'un autre côté, ils doivent être prêts à affronter tous les risques de manifestations violentes, ce qui est toutefois précisément l'issue que cherchent à éviter les patrouilleurs (Brodeur, 2003). En effet, Bittner, une référence incontournable si l'on étudie le domaine policier, considère que « la police se définit beaucoup moins par son usage effectif de la violence que par sa capacité d'y recourir selon les exigences d'une situation » (tiré de Brodeur, 2003, p. 56).

LA POLICE ET LES MÉDIAS

La brutalité policière dans les médias

Les médias jouent un rôle significatif dans la formation et la transformation des attitudes et opinions

[1] Voir à ce sujet : *Code criminel*, L.R.C. 1985, ch. C-46, a. 83.

[2] Voir à ce sujet : *Code criminel*, L.R.C. 1985, ch. C-46, a. 43 : Tout instituteur, père ou mère, ou toute personne qui remplace le père ou la mère, est fondé à employer la force pour corriger un élève ou un enfant, selon le cas, confié à ses soins, pourvu que la force ne dépasse pas la mesure raisonnable dans les circonstances.

du public sur le travail des policiers. En effet, les citoyens apprennent à connaître le système de justice ainsi que ses acteurs, tout en se forgeant une opinion de ceux-ci par le biais des médias (Leman-Langlois, 2007; Roberts et Doob, 1990). Toutefois, le rôle des médias est de propager des nouvelles sensationnelles et de faire la promotion desdites nouvelles. Ils tendent donc à préconiser des reportages sur des sujets qui attireront la réprobation sociale, tels que la clémence et l'injustice des sentences données par les juges (Roberts, 2011), mais également la brutalité policière. Le sujet de la brutalité policière a incontestablement soulevé de vifs débats dans la société au cours des dernières années et par ailleurs, depuis 1997, le Collectif opposé à la brutalité policière (COBP) organise des manifestations tous les 15 mars afin de dénoncer le harcèlement, l'intimidation et l'abus de pouvoir dont peuvent faire parfois preuve les représentants des forces de l'ordre. Certains événements qui se sont déroulés au cours de la dernière année ont particulièrement fait les manchettes et soulevé des questionnements relatifs au travail des policiers. Nous pouvons citer à titre d'exemple la grève étudiante[3] entre février et septembre 2012 au Québec qui a conduit à de nombreux mouvements sociaux et à des manifestations au cours desquelles les policiers ont dû intervenir. Nous pouvons également mentionner le cas de la policière Stéfanie Trudeau, aussi surnommée « matricule 728 » à Montréal, qui a été filmée lorsqu'elle procédait à une arrestation musclée. Plus récemment, nous pouvons également nommer le cas d'un Torontois tué par arme à feu dans un tramway.

Conséquences engendrées par les reportages négatifs sur les policiers

En regard des différents reportages présentés par les médias sur la brutalité policière, il va de soi que l'image des policiers est entachée, ce qui mine particulièrement leur crédibilité auprès de la population et les confine dans un rôle « coercitif ». Nous pouvons alors nous questionner sur la perception qu'ont les citoyens des policiers en visionnant toutes les images montrant des policiers user parfois de force excessive pour maîtriser quelqu'un et surtout, si ceux-ci considèrent toujours les policiers comme des individus aptes à les protéger sans susciter la peur. Comme Brodeur (2003) le dit : « la police est l'agence de contrôle social dont l'action est la plus visible et la plus dramatisée ». Par contre, il faut comprendre que certaines images sont parfois présentées hors de leur contexte, mais qu'elles entraînent tout de même une réprobation sociale.

LA PRIVATISATION DE LA SÉCURITÉ

Au cours des dernières années, nous avons pu constater un accroissement important de la popularité de la sécurité dite privée. La publicisation de la sécurité privée se fait principalement de deux façons, soit par l'imitation du contexte policier et par l'envahissement graduel de l'espace public (Brodeur, 2003).

Une « parapolice » ?

Les gardiens de sécurité accomplissent des tâches analogues à celles des policiers et utilisent un environnement de travail semblable en ayant une « hiérarchie de type militaire, uniformes, voitures balisées, utilisation de technologies semblables », etc. (Brodeur, 2003, p. 285). Ils imitent donc en quelque sorte les policiers. Néanmoins, les principales tâches des gardiens de sécurité sont de « maintenir l'ordre et d'appliquer les règlements lors d'activités publiques et à l'intérieur d'établissements, de protéger les biens contre le vol et le vandalisme, de fournir des véhicules blindés pour le transport d'objets de valeur et de contrôler l'accès à des lieux » (Statistique Canada (a), 2013). Certaines compagnies de sécurité vont même jusqu'à s'identifier comme étant une véritable « parapolice » qui est au service des citoyens qui désirent être protégés (Rigakos, 2002). En réalité, les agents de sécurité privés ont les mêmes pouvoirs d'application de la loi que les citoyens ordinaires et ils peuvent légalement arrêter et détenir des individus[4]. Leurs pouvoirs sont toutefois limités comparativement à ceux des policiers.

Une société « surveillée »

La privatisation de la sécurité est également présente dans l'espace public. Effectivement, de plus en plus de centres commerciaux, de parcs, de centres culturels et d'autres endroits publics sont gérés par l'industrie privée, ce qui est même vu par certains chercheurs comme l'une des principales raisons de l'accroissement significatif de l'industrie de la sécurité privée (Brodeur, 2003). En outre, de plus en plus d'espaces publics tels que les aéroports et les transports publics sont surveillés par des compagnies privées en tant que sous-traitant et cela, particulièrement grâce à la technologie de sécurité qui a commencé à remplacer des employés traditionnellement engagés (Brodeur, 2003). Ainsi, la surveillance sociale fait maintenant partie intégrante de la vie quotidienne (Doyle, Lippert and Lyon, 2012).

LA SÉCURITÉ PUBLIQUE VERSUS LA SÉCURITÉ PRIVÉE

Davantage de ressources pour la sécurité privée

Les études du nombre d'employés dans le domaine policier et le domaine de la sécurité privée ont permis de mettre en lumière que les agences de sécurité privée emploient deux fois plus de gens que les forces policières. Effectivement, en 2006, pour l'ensemble des provinces au Canada, on pouvait compter approximativement 102 000 agents de sécurité privés comparativement à 68 000 policiers, ce qui représente grosso modo environ trois agents de sécurité privés pour deux policiers (Statistique Canada (a), 2013).

Conflits entre la sécurité publique et la sécurité privée

En 1985, Cunningham et Taylor ont identifié une source de conflit importante qu'il importe de mentionner, soit la multiplication de fausses alarmes. Ceux-ci ont constaté que les voitures de patrouille aux États-Unis consacrent près de 15 % de leur temps à répondre à de fausses alarmes, alors que les patrouilleurs pourraient occuper leur temps à faire des interventions dans des situations qui le nécessitent (tiré

[3] Cette grève étudiante générale qui avait cours dans certains établissements d'enseignement supérieur avait pour objectif de dénoncer l'augmentation projetée des droits de scolarité universitaire dans le budget provincial 2012-2013 du gouvernement du Parti libéral de Jean Charest.

[4] Voir à ce sujet : *Code criminel*, L.R.C. 1985, ch. C-46, a. 494.

de Brodeur, 2003). De plus, Dupont (2007) a souligné que l'un des problèmes auquel ces deux instances sont confrontées est leur divergence en matière de mandat. En effet, la police poursuit une mission de sécurité publique, alors que l'industrie privée doit suivre une logique qui est guidée par ses employeurs et qui ne vise donc pas nécessairement la sécurité de tous.

Opinion de la population sur le travail des policiers et croissance du domaine de la sécurité privée

Tel que mentionné précédemment, le fait de percevoir les policiers comme un agent coercitif en omettant de considérer leurs autres fonctions et de constater le nombre de reportages liés à la brutalité policière amoindrit la crédibilité que les policiers peuvent avoir auprès de la population. Mais est-ce que ceci a un impact sur le développement du domaine de la sécurité privée? Est-ce que la population a perdu à ce point confiance aux policiers pour devoir s'équiper de technologies privées et/ou de gardiens de sécurité? Peut-être qu'effectivement, c'est une explication plausible, mais pas tout à fait exacte puisque les fausses alarmes entraînent le déplacement des policiers et les agents de sécurité font également affaire avec les policiers pour porter des accusations. Il importe toutefois de noter que certaines entreprises décident de ne pas faire appel au système de justice pénale puisqu'elles ont des moyens alternatifs qu'elles peuvent mettre en place pour régler leurs problèmes à l'interne (Brodeur, 2003).

En conclusion...

La vision dichotomique de la sécurité publique versus la sécurité privée est très simpliste et peu réaliste. En outre, le manque de crédibilité d'un type de sécurité n'entraîne pas nécessairement l'essor de l'autre. Comme l'a mentionné Brodeur (2003), qui a également été repris par Mulone (2010, p. 215), trois thèses peuvent être développées pour expliquer les relations entre les deux domaines de sécurité, soit le parallélisme, la complémentarité et la compétition. Le parallélisme signifie que les deux types de sécurité remplissent des fonctions similaires, mais restent à distance l'une de l'autre; la complémentarité signifie que les deux secteurs possèdent des fonctions différentes qui se complètent; alors que la compétition signifie que la sécurité privée et la police ont des rôles identiques et qui s'effectuent sur les mêmes lieux. Pour notre part, nous considérons qu'il peut être parfois difficile de définir clairement les rôles et responsabilités de chaque service de sécurité, mais comme « le maintien de l'ordre et la protection de la société sont assurés par un réseau de services de police publics et de services de sécurité privés qui souvent se chevauchent, se complètent et s'appuient mutuellement » (tiré de Statistique Canada (b), 2013), nous appuyons davantage la thèse de la complémentarité. ••

RÉFÉRENCES

Black, D. (1980). *The Manners and Customs of the Police*, New York : Academic Press.

Brodeur, J.-P. (2003). *Les visages de la police, pratiques et perceptions*. Montréal : Les presses de l'Université de Montréal.

Doyle, A., Lippert, R. & Lyon, D. (2012). *Eyes everywhere, the global growth of camera surveillance*. New York : Routledge.

Dupont, B. (2007). *La gouvernance de la sécurité*, dans Cusson, M., B. Dupont et F. Lemieux (dir.), « Traité de la sécurité intérieure », Montréal : Hurtubise.

Leman-Langlois, S. (2007). *La sociocriminologie*. Montréal : Les Presses de l'Université de Montréal.

Mulone, M. (2010). *Privatisation de la police ou « publicisation de l'industrie de la sécurité privée ? »*, dans Poupart, J. (dir.), Lafortune, D. (dir.) & Tanner, S. (dir.), « Questions de criminologie », Montréal : Les Presses de l'Université de Montréal, p. 207-217.

Rigakos, G. S. (2002). The New Parapolice : Risk arkets and Commodified Social Control, Toronto : University of Toronto.

Roberts, J. V. & Doob, A. N. (1990). News media influences on public views of sentencing. *Law and Human Behavior*, 14 (5), 451-468.

Roberts, V. J. (2011). *La peur du crime et les attitudes à l'égard de la justice pénale au Canada : bilan des dernières tendances*. Site web consulté le 20 octobre 2012 : http://www.publicsafety.gc.ca/res/cor/rep/_fl/2001-02-fer-crme-fra.pdf

Statistique Canada (a) (2013). « Les ressources policières au Canada ». Extrait du site web : http://www.statcan.gc.ca/pub/85-225-x/2012000/aftertoc-apresdm1-fra.htm

Code criminel, L.R.C. 1985, ch. C-46, a. 43-83-494.

Statistique Canada (b) (2013). Par Geoffrey Li. « Services de sécurité privés et services de police publics ». Extrait du site web : http://www.statcan.gc.ca/pub/85-002-x/2008010/article/10730-fra.htm

RÉSUMÉ

Joanie Laganière here discusses media coverage of police brutality, noting how police officers are often described as using coercion and of being "above the law", which undermines their credibility. She also investigates whether this negative perception is engendering the growth of private security services, pondering also the impact on public safety and clarifying the relationship between police and private security. According to this article, the similarities and differences between police and private security are not easily defined, but function as per the relationship defined by Statistics Canada" While there remain distinct tasks that are handled solely by one or the other, the task of "policing" and securing society carried out by a network of public police and private security is often overlapping, complimentary and mutually supportive." As such, the author concludes that private security is not due to public fear and is in the best interest of public safety.

JUSTICE
ACTUALITÉS REPORT

CORRECTIONS TO VOLUME 28.2 OF THE JUSTICE REPORT, ABORIGINAL ISSUES

The CCJA wishes to apologize to authors whose articles contained errors. Due to an unfortunate error, our printer printed and expedited a draft version of the magazine. Aside from the errata noted in a subsequent CCJA newsletter, the following two articles contained errors.

- Doug Heckbert's byline should have read MacEwan University rather than Centennial College. The CCJA wishes to thank Mr. Heckbert for this second contribution to the *Justice Report* and apologize for this error. The article *The Indigenous Experience: is it important to know about this?* is now available on our website (**www.ccja-acjp.ca**) in the *Justice Report* section.

- The final version of Robert Brown's *Don Demers: Thanks for the memories...* is now accessible in the *Justice Report* section of our website.

CORRECTIONS AU VOLUME 28 NO 2 D'ACTUALITÉS-JUSTICE, QUESTIONS AUTOCHTONES

L'ACJP désire présenter ses excuses aux auteurs dont les articles comportaient des erreurs. Notre imprimeur a malheureusement imprimé et expédié une version préliminaire de notre magazine. Outre les errata publiés dans un bulletin subséquent de l'ACJP, les deux articles suivants comportaient des erreurs:

- Sous la signature de Doug Heckbert, on aurait dû lire MacEwan University plutôt que Centennial College. L'ACJP désire remercier Doug Heckert pour sa deuxième contribution à *Actualités-Justice* et lui présente ses excuses pour cette erreur. L'article *The indigenous experience: is it important to know about this?* est maintenant affiché dans notre site Web (**www.ccja-acjp.ca**) dans la section *Actualités-Justice*.

- La version définitive de *Don, Thanks for the Memories*, l'hommage à Don Demers, rédigé par Robert Brown, est maintenant affichée dans notre site Web dans la section *Actualités-Justice*.

2013

ELECTION OF BOARD OF DIRECTORS • CCJA
ÉLECTION DU CONSEIL D'ADMINISTRATION • ACJP

REPORT | RAPPORT

AT THE CALL FOR NOMINATIONS, 11 POSITIONS WERE OPEN ON THE BOARD OF CCJA, EFFECTIVE OCTOBER 2013. THREE CANDIDATES WERE ELECTED BY ACCLAMATION. THERE WERE NO NOMINATIONS FOR PEI OR THE TERRITORIES. THE BRITISH COLUMBIA AND ALBERTA POSITIONS, AS WELL AS THE FOUR DIRECTOR-AT-LARGE POSITIONS WERE SUBJECT TO ELECTION.

BALLOTS WERE CIRCULATED TO THE FULL MEMBERSHIP OF CCJA, AND 45 BALLOTS WERE RETURNED DULY COMPLETED BY THE DUE DATE OF JULY 30, 2013.

THE BALLOTS WERE COUNTED, AND THE FOLLOWING PEOPLE WERE ELECTED TO THE BOARD OF DIRECTORS:

BRITISH COLUMBIA: Tim Veresh **ALBERTA:** Kathryn Gregory
NATIONAL "AT LARGE": John Braithwaite (BC) | Maria Franks (NS) | Michel Gagnon (QC) | Frances McKeague (ON)

THE FOLLOWING DIRECTORS WERE ELECTED BY ACCLAMATION:

MANITOBA: Angela Falk **NEWFOUNDLAND/LABRADOR:** Cindy Whitten-Nagle **SASKATCHEWAN:** Hirsch Greenberg

OUR CONGRATULATIONS AND BEST WISHES TO THE NEWLY-ELECTED MEMBERS. OUR THANKS TO ALL THOSE WHO PUT FORTH THEIR CANDIDACY BUT WERE NOT ELECTED, AS WELL AS PAST MEMBERS WHO DID NOT RUN FOR ANOTHER TERM.

IL Y AVAIT 11 POSTES À COMBLER AU CONSEIL D'ADMINISTRATION À PARTIR DU MOIS D'OCTOBRE 2013. TROIS CANDIDATS ONT ÉTÉ ÉLUS PAR ACCLAMATION. IL N'Y AVAIT PAS DE CANDIDATS POUR L'IPE NI POUR LES TERRITOIRES. LES POSTES DE LA COLOMBIE- BRITANNIQUE, DE L'ALBERTA, AINSI QUE LES QUATRE POSTES POUR «L'ENSEMBLE DU PAYS» ÉTAIENT À COMBLER PAR ÉLECTION.

DES BULLETINS DE VOTE ONT ÉTÉ DISTRIBUÉS À TOUS LES MEMBRES DE L'ACJP; 45 BULLETINS NOUS SONT PARVENUS AVANT LA DATE LIMITE DU 30 JUILLET 2013.

SUITE AU DÉVOILEMENT DES BULLETINS DE VOTE, LES PERSONNES SUIVANTES ONT ÉTÉ ÉLUES :

COLOMBIE-BRITANNIQUE : Tim Veresh **ALBERTA :** Kathryn Gregory
«ENSEMBLE DU PAYS» : John Braithwaite (BC) | Maria Franks (NS) | Michel Gagnon (QC) | Frances McKeague (ON)

LES PERSONNES SUIVANTES ONT ÉTÉ ÉLUES PAR ACCLAMATION :

MANITOBA : Angela Falk **TERRE-NEUVE/LABRADOR :** Cindy Whitten-Nagle **SASKATCHEWAN :** Hirsch Greenberg

NOS FÉLICITATIONS ET MEILLEURS VŒUX AUX MEMBRES NOUVELLEMENT ÉLUS. NOS REMERCIEMENTS À TOUS CEUX ET CELLES QUI ONT PRÉSENTÉ LEUR CANDIDATURE MAIS N'ONT PAS ÉTÉ ÉLU(E)S, AINSI QUE CEUX ET CELLES QUI NE SE SONT PAS PRÉSENTÉ(E)S À NOUVEAU.

IRVING KULIK, *Executive Director/Directeur général*
August/août 2013

CTRI
CRISIS & TRAUMA RESOURCE INSTITUTE INC.

CTRI Public Workshops Offered Across Canada in 2013-2014

Helping Communities and Organizations with Issues of Crisis and Violence

TO REGISTER OR FOR MORE INFORMATION:

www.ctrinstitute.com
204.452.9199
info@ctrinstitute.com

WEBINARS:

No matter where you live, you can easily access some of CTRI's workshops via the internet. Our webinars are one-hour, online training sessions that provide abbreviated versions of our in person public workshops.

Please visit our website for details.

STALKING
- Assessment and Management

Calgary: October 23, 2013 & April 2, 2014
Edmonton: October 24, 2013 & April 3, 2014
Winnipeg: November 20, 2013
Saskatoon: November 21, 2013
Toronto December 3, 2013
Ottawa: December 5, 2013
Vancouver: December 12, 2013 & June 18, 2014

This workshop provides organizations, schools and businesses with a better understanding of the nature of stalking, including motivations related to different types of stalkers. Specific focus will be given to the complexities of assessment and management of situations related to cyber-stalking. Participants will review an informal assessment tool to help in determining the level of risk of stalkers

VIOLENCE THREAT ASSESSMENT
- Planning and Response

Toronto: December 2, 2013
Ottawa: December 4, 2013
Calgary: March 5, 2014
Edmonton,: March 6, 2014
Regina: March 13, 2014
Saskatoon: March 14, 2014
Whitehorse: March 27, 2014
Winnipeg: May 8, 2014
St. John's May 14, 2014
Vancouver: May 29, 2014

This workshop provides a communication and decision-making model to help businesses, schools, organizations and communities become more effective in their management of threats. Participants will learn strategies to help them identify, assess and manage individuals who may be escalating towards violence.

RESTORATIVE JUSTICE
- Guiding Principles for Communities and Organizations

Ottawa: November 18, 2013
Mississauga: November 22, 2013
St. John's: February 14, 2014
Edmonton: Feburary 25, 2014
Calgary February 27, 2014
Halifax: February 28, 2014
Toronto: April 8, 2014
Winnipeg: April 23, 2014
Saskatoon: April 30, 2014
Regina: May 1, 2014

This workshop provides a framework for incorporating restorative justice principles into your environment. The timeless philosophy of restorative justice invites people to look beyond a merely punitive view of justice and discipline, and instead emphasizes direct accountability, reparation, prevention, dialogue and, in some cases, renewed relationship.

CTRI offers over 300 workshops across Canada each year. Please visit our website for information about other workshops coming to your community .

COMING EVENTS
PROCHAINS ÉVÉNEMENTS

(Published in the language submitted / Publiés dans la langue dans laquelle ils sont soumis)

SAVE THE DATE! • INSCRIVEZ LA DATE À VOTRE CALENDRIER!

6-8 NOVEMBRE 2013 **36E CONGRÈS DE LA SOCIETÉ DE CRIMINOLOGIE DU QUÉBEC**

THÈME: Prévention du crime et citoyenneté responsable

ENDROIT: Fairmont Tremblant

INFORMATION: www.societecrimino.qc.ca

NOVEMBER 17-19, 2013 **2013 NATIONAL RESTORATIVE JUSTICE SYMPOSIUM**

Hosted by YOUCAM and the Canadian Safe School Network

THEME: To promote, develop and grow restorative justice in Canada and around the world by providing new insights at the National Restorative Justice Symposium in November 2013 - with a focus on Innovation!

PLACE: Courtyard Downtown Marriot, Toronto

INFORMATION: info@youcan.ca (613.230.1903 / 1.888.496.8226)

NOVEMBER 20-23, 2013 **69TH ANNUAL MEETING: AMERICAN SOCIETY OF CRIMINOLOGY**

THEME: Expanding the Core: Neglected Crimes, Groups, Causes and Policy Approaches

PLACE: Atlanta Marriott Marquis, Atlanta, Georgia, USA

INFO: asc_program2013@ou.edu

13-15 JUNE, 2014 **RESISTING CARCERAL NATION STATES: THE 15TH INTERNATIONAL CONFERENCE ON PENAL ABOLITION**

The International Conference on Penal Abolition (ICOPA 15)

THEME: Building Awareness, Developing Strategy, Taking Action

PLACE: University of Ottawa / Algonquin Territory / Ottawa, Ontario, Canada

CALL FOR PARTICIPANTS AND CONTRIBUTIONS

DEADLINE FOR SUBMISSIONS: December 1, 2013

RELEASE OF PRELIMINARY CONFERENCE PROGRAM: January 1, 2014

DEADLINE FOR TRAVEL AND HOUSING SUPPORT APPLICATIONS: December 1, 2013

NOTICE OF TRAVEL AND HOUSING SUPPORT: January 1, 2014

INFO: icopa.canada@gmail.com / www.actionicopa.org

NOTICE • • AVIS

Please send notices about your events to **ccja-acjp@rogers.com** so we may add them to the list of Coming Events.

Veuillez envoyer les annonces pour vos événements au **ccja-acjp@rogers.com** nous permettant ainsi de les inscrire dans la liste des «Prochains événements».

JUSTICE ACTUALITÉS REPORT

ADVERTISEMENTS | ANNONCES | ANNONCES | PUBLICITÉS

1/4 page	seulement **PDF** only	**$100**
1/2 page	seulement **PDF** only	**$150**
1 page	seulement **PDF** only	**$250**

+ **$75** colour | couleur

Canadian Criminal Justice Association
Association canadienne de justice pénale

British Columbia Criminal Justice Association
Association de justice pénale de la Colombie-Britannique

34th Canadian Congress on Criminal Justice

2013

Congrès canadien de justice pénale 34e

21st Century Justice: The Economics of Public Safety

La justice du 21e siècle : Les aspects économiques de la sécurité publique

HYATT REGENCY VANCOUVER BRITISH COLUMBIA | COLOMBIE-BRITANNIQUE

OCTOBER 2 - 5 OCTOBRE 2013

Visit our website at **ccja-acjp.ca** for:

- Congress at a Glance (PDF)
- Detailed Congress Program (PDF)
- Congress Registration (online or printable PDF)
- Hotel Reservations

Visitez notre site web au **ccja-acjp.ca** pour :

- Congrès en bref (PDF)
- Programmé détaillé (PDF)
- Inscription (en ligne ou PDF imprimable)
- Réservation de chambre